ESSAYS BY ROBERT MARQUESS OF SALISBURY 1861-1864

FOREIGN POLITICS

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MARQUESS OF SALISBURY

K.G.

FOREIGN POLITICS

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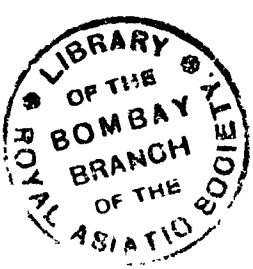

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POLAND

PREFATORY NOTE

By the Treaty of Vienna, so much of Poland as was not given to Prussia and Austria became a kingdom under the Czar, with a liberal constitution. In 1830 there was a Polish rebellion, which was put down in the course of 1831; and on February 26, 1832, Poland was declared a Russian province. In 1860 further disturbances took place, which continued through 1861 and 1862. In the latter year the Grand Duke Constantine became viceroy, and on the night of January 15, 1863, under colour of a secret "conscription," those who were thought most hostile to the Russian Government were seized and sent to fight in the Caucasus. Thereupon a rebellion broke out; and a guerilla warfare, conducted with great bravery by the Poles, lasted till May, 1864. It was eventually put down by General Mouravieff with considerable ferocity, all attempts at intervention by Europe proving useless. Poland from that time has had no national existence, the aim of the Russian Government being to incorporate it more and more closely with Russia.

This essay appeared in April, 1863, and had prefixed to it the following authorities:—

1. Russia for the Russians, and Poland for the Poles. By S. Sulima. Leipzig and London. 1863.

2. La Question Polonaise-Russe. Par B. Schebalski. Leipzig. 1862.

3. Geschichte des Revolutionszeit. Von H. von Sybel. Düsseldorf. 1860.

4. Poland. A letter to the Earl of Ellenborough. By General Count Zamoisky. London. 1861.

5. Nationalities of Europe. By R. J. Latham, M.D. London. 1863.

POLAND

THERE are few positions more embarrassing than that of men who hold moderate opinions in regard to questions upon which excitement is running high. They rarely escape a thirdsman's proverbial fate. They are equally obnoxious to the partisans whom they have left behind, and to the partisans of whose extravagance they fall short. They are regarded by each side as combining the demerits of an antagonist and a deserter. Each party equally despises the lukewarm zeal and time-serving temper which can only take up half a cause. The pursuer of the golden mean must be content with the intrinsic value of the intermediate course that he selects. He will win no human sympathy, and must submit to be cast out as crotchety by every enthusiastic mind. An enemy is more tolerable than a friend who advances to your aid encased in a panoply of "ifs" and "buts." It is still more irritating when the lukewarmness of your ally takes the form of historical precision. Nothing can be more aggravating than, at the moment when men are nerving themselves for a death-grapple with an overwhelming foe, to have their bravery subjected to a pedantic literary criticism, and pared down to the standard of a set of pettifogging facts.

It is with a full knowledge of our disadvantageous position that we venture to offer a contribution towards an impartial judgment of the struggle of which Poland has been so long the theatre. It is a subject in respect to which it is by no means easy for a contemporary inquirer to give their due value to the facts of history. The virtues the Poles have displayed, and the sufferings through which they have been made to pass through the last half-century, have called forth a unanimity of sympathy from all civilized nations which even the Italian movement failed to command. Whatever its issue may be—and the prospect is far from cheering—the incidents of this struggle are much more heart-stirring than those which made Garibaldi into a hero. It is cast in a far larger mould, and has all the charm which mere magnitude can bestow. The tyranny has been more savage and more powerful, the endurance has been more unconquerable, the supreme effort has been more despairing, and the ultimate results to which it may lead are far wider in their range. King Ferdinand of Naples, with nothing but vulgar prisons at his command, was a commonplace tyrant compared to him who can employ as an instrument of torture the desolation of a vast Arctic desert that stretches half round the globe. Occasional arrests of prominent malcontents were paltry stretches of power compared to the decree by which, at one fell swoop, a whole political party were condemned to lifelong campaigning on the frontier of the Caucasus, for the purpose of reducing another free race to the same bondage.[1]

[1] [By the "conscription" of the Poles on the nights of January 14 and 15, 1863, a large number of the popular party were seized and sent to the Caucasus, where Russia was still engaged in

Nor are the dangers of the two conflicts comparable. Garibaldi seemed to be alone ; but his strength and the terror that preceded him lay in the fact that he was known to be but the vanguard of the monarchy which had already mastered half the peninsula, and whose supremacy was guaranteed in the last resort by all the power of France. The Poles fight unaided by a single ally, without the commonest preparations for war, hemmed in on every side by enemies more or less pronounced, and against the master of half a continent. And to all these claims upon our close and anxious interest the contest adds yet this other—that upon it the destinies of Eastern Europe hang. Is Austria to be ground in pieces between the pressure of her own malcontent dependencies and Russia's advancing empire ? Is the vision of "the Calmuck overrunning Europe,"[1] which appalled even Lord Castlereagh's calm intelligence, and has distorted the policy of many a statesman since, to prove a terrible reality, or to be forgotten as a dream ? Is the heir to the great Greek Empire, upon which the "sick man's" feeble grasp is loosening year by year, to come from St. Petersburg or from Athens ? These are a few, and only a few, of the questions which may, perhaps,

* subduing the mountain tribes, of which she had obtained the nominal sovereignty by treaty with the Turks in 1829.]

[1] [The reference is to a letter from Castlereagh to Vansittart ("Cast. Corr.," x. p. 200), referring to a Dutch Loan. "If the Emperor of Russia shall persist in refusing to acknowledge his treaties . . . or, if I cannot stop his power upon the Vistula, and it breaks loose and shall carry everything before it to the Meuse, I cannot answer for the consequences. . . . I had rather give the Prince of Orange something more to defend and fortify the Low Countries than assist the credit of a Calmuck Prince to overturn Europe."]

be answered by the warfare which a few scythemen and some troops of returned exiles are conducting with such marvellous heroism and against such fearful odds.

It is no wonder that Europe should look upon such a contest with absorbing interest. Our quarrelsome cousins upon the other side of the Atlantic are fully justified in the hope with which they solace themselves that Poland will prove a safe conductor for the inconvenient solicitude which European nations have hitherto bestowed upon the American Civil War. The universal sympathy that has responded to the appeal of the Poles will forbid the statesmen of England to watch the drama that is being played out upon the Vistula with the same lazy disregard with which they have studied the disintegration of their old rival in the West. We do not propose to anticipate their difficulties, or to forecast the issue of a struggle whose aspect varies from day to day. But the crisis has an historical as well as a political aspect. It has been made to involve controversies concerning the facts of the past as well as of the present; and upon these we can comment without the uncomfortable conviction that the subject-matter of our remarks will have changed its substance, form, and colour, before our readers can read what we have written.

It is a striking testimony to the value which the world places upon a traditional title, that men who have achieved a great success by their own courage or ability are scarcely ever satisfied to rest it on such a ground. They almost always press History into their service, and torture her into proving that the Power they are setting up is either the revival

of some buried right or the copy of some ancient model. Napoleon used to scoff at this weakness, and to boast that his first patent of nobility was dated from Montebello. But when he came to establish a dynasty, he did not think himself secure against the associations that hung around the exiled Bourbons, unless he could surround himself with associations more venerable still. His travestie of the Court of Charlemagne was a mute recognition of the superiority of an historical title to any other. The friends of Poland, albeit in the main belonging to the extreme Liberal school of politics, do not seem to be comfortable unless they can advance some historical claim upon the sympathies to which they appeal. Accordingly, historical views are being loudly reasserted, which were invented by the Polish emigrants in days when few were competent to contradict them, but of which little had been said in more recent times, and against which we fondly hoped that judgment had long ago gone by default. To some extent in England, but still more generally in France, the old controversy of the Partition has been reopened. The old denunciations of the "greatest crime of modern times" have been revived. It is, perhaps, more curious still that the old apportionment of culpability, dictated by the hatreds of half a century ago, has been again recommended to our belief. By a bold inversion of the real degrees of guilt, the chief blame is laid on Russia, Prussia is looked upon as a pitiful and subordinate accomplice, while Austria is almost absolved as an unwilling accessory. Such historical views have not much to do with the issue that is being actually fought out in Poland. The oppressive conscription that has been ordered by Grand Duke

Constantine[1] is not less an outrage on humanity—the breach of the Treaty of Vienna involved in the system of government in Poland is not less flagrant[2]—whatever judgment we may form of the transactions of 1764-1795. But perversions of history, even if they could be supposed to have any actual share in determining Poland's future fate, would scarcely be a legitimate weapon of insurrectionary warfare; and the view of the Partition upon which the advocates of Poland insist is so one-sided that a brief review of the actual facts of the case can hardly be thought superfluous.

In discussing whether the seizure of the Polish provinces by Russia deserves to be stigmatized as "a great crime," it is of course first necessary to decide what that phrase means when applied to political transactions. In some sense every seizure of territory, or of anything else, is a crime. If the ethics of private life are to be applied rigorously to the acts of nations, it is quite clear that any nation appropriating to itself that which belongs to another is decidedly guilty of violating the direct language of the Eighth Commandment, and therefore may be pronounced guilty of a great crime. How far the ethics of private life are applicable to public life is a question too wide to be discussed *par parenthèse.* The fact that a nation has no tribunals to which it can appeal, and can hope for no redress except what it owes to its own sword or that of its allies, creates a difference between the two cases the

[1] [See prefatory note.]

[2] [By the Treaty of Vienna Poland was given constitutional government, a national army, and a separate budget. Personal liberty and freedom of the press were also guaranteed. All these were swept away as a result of the disturbances of 1860-1864.]

limits of which it is not easy to draw. But all that it imports us here to form is, not an absolute, but a comparative, estimate of guilt. The condemnation of Russia for her seizure of Polish territory has not been based on any such exacting morality as that to which we have referred. When people speak of the Partition as the "great crime" of modern history," they mean that it was something infinitely worse than an average territorial annexation. Whatever they may think as to the abstract morality of conquest in general, mankind have agreed to admit that its guilt differs widely in degree according to the motive by which it has been urged, or, rather, according to the secondary motives by which the one prevailing impulse—the greed of empire—has been qualified. Lowest in the ethical scale stand the conquests which have been undertaken for mere conquest's sake. Such enterprises, for instance, as the seizure of Silesia by Frederick, or of Alsace by Louis XIV., without a vestige of a claim, or a pretence of sympathy, or of resentment, or of necessity, to cloak the wrong, must be held to consign the culprit to the lowest gulf in the Conqueror's circle of the Inferno. A somewhat paler tinge of guilt may be assigned to those who, like Napoleon, were forced to aggression by the imperious ambition of their subjects, and, in effect, conquered that they themselves might exist. Unscrupulous self-preservation stands a degree higher than willing, spontaneous rapine. Lighter still is the responsibility of Powers who have conquered large territories in the course of efforts to repel unjust and unprovoked aggression. Some such plea may be advanced in extenuation of most—we wish we could say of all—of the acquisitions that

England has made in India. But the motives which are the least guilty of all, and in which so little guilt is generally recognized that Sovereigns do not scruple to profess them as an absolute justification, are those which rest either upon an ancient claim to the territory attacked, or a sympathy, dictated by a community of race or of religion, for the sufferings of its inhabitants. Of such a character were the conquests of Calais by the French, of Granada by the Spaniards, and in our own times of Milan by the Italians. In denying the accuracy of the description which is given of Catherine's annexations as constituting the greatest crime of modern times we do not mean to assert that they were free from blame, either in their plan or their details. Wars of aggression are not made with rose-water; and that bloodless portion of them which is waged by a crafty diplomacy is usually more repulsive than the ruthless cruelties of a campaign. We only venture to contend that, in point of morality, they must be ranked at the top of our classification, and not at the bottom. They stand on the same level as the conquest of Granada and Milan, and very much above the British annexation of Oude.

To those who have imbibed the popular view upon this matter, such a comparison will seem simply paradoxical. The ordinary mode of dealing with the question is to ignore all history before the eighteenth century. At that epoch two countries force themselves upon the attention of Western Europe. One was weak and decaying, torn by factions, and a prey to foreign intrigue. The other was strong and growing, and, under the guidance of a prince of marvellous ability, was gaining a

dangerous ascendency over its weaker neighbour. As the century went on, the strong Power suddenly proceeded to tear away a large slice from the territory of the weak Power; and other neighbours doing the same thing at the same time, the weak Power ceased to exist. Viewed in this way by itself, without any reference to the history that had gone before, the Partition appears in colours almost as dark as those in which the Polish emigrants have painted it. It is not surprising that contemporary Europe, to whom the Polish question was a new acquaintance, should have quietly contented themselves with this view of the case. If they had been watching the relations of the Poles and Russians for centuries, as they had watched those of the French and Germans, they would probably have taken a different view of the moral aspect of the affair. They would have seen that the conquest was but a re-conquest; that the transactions that were passing before their eyes were but the closing scene of a long and varied drama; and that the mass of the inhabitants of the annexed provinces, far from being robbed of their freedom and their country, were only being re-united to those of their own race and their own religion from whom the ambition of the Polish nobles had severed them for so long.

A glance at the history of the two races will place the proceedings of 1764–95 in their true light. From the very first that is known of them, the Poles and Russians appear to have been animated by all the mutual hatred which is natural in races that are akin, but not identical. Poland proper—that is to say, the district which was inhabited by Poles—lay almost entirely upon this, the western,

side of the Vistula, though a small strip, consisting of a portion of the provinces of Mazovia and Sandomir, extended over the other bank. Beyond this to the east all was Russian. When first their history assumes a definite form, about the year A.D. 1000, both races existed side by side under the form of powerful monarchies. Boleslas[1] the Brave ruled, as King of Poland, over a territory largely composed of countries that now belong to Germany. In addition to Poland, he governed all the eastern portion of what is now Prussia, a slice of Saxony, and great part of the north of the present Austrian Empire. But, though his sway was so extensive towards the west, he does not appear to have ruled over any races that were purely Russian. The Russians were governed about the same time by Wladimir the Great,[2] who first made Russia a Christian kingdom; and though the Russian monarchy consisted of an aggregate of small principalities, which the descendants of Rurik had gradually united under one crown, no part of it had then suffered from the aggressive spirit of the Polish monarchy. The line which divided the two kingdoms of Boleslas and Wladimir may be roughly described as starting about fifty miles to the east of Memel, and going straight down due south till it struck the Carpathian mountain-range. It coincides very nearly with the frontier which, some eight centuries later, Catherine obtained for the Russian empire just before her death. The only difference between the two frontiers is, that the ancient one was about fifty miles more favourable to Russia than the modern.

[1] [Reigned from 992 to 1013.]
[2] [Reigned from 980 to 1015.]

The two kingdoms, starting thus, were attended by a very different destiny. Russia was exposed to the operation of two destructive causes, neither of which affected her rival in a similar degree. The first evil was that of infinitesimal division. At his death in 1015, Wladimir's empire was split up by strife among his sons; and in the next generation the disintegration was carried further still. Division followed division: new and transitory combinations were formed from time to time among the several fragments; but the Russians never recovered the unity they had lost till a fearful calamity, in which they narrowly missed absolute destruction, taught them its value. This second calamity was the invasion of the Mongol hordes who followed in the track of Genghis Khan. These hordes, pouring into Europe in overwhelming numbers and devastating every region over which they passed, destroyed the little power of resistance that had been left to Russia by her divisions. They extended their conquests as far as what is now St. Petersburg, and in the south as far as Kiew, and retained the Russians under their yoke for more than two hundred years. The impetus of their first inroad carried them beyond the boundaries of Russia as far even as Silesia; but after the first wave had broken, the barbarians never reached into the dominions of Poland again. Full time during those two centuries was given to Poland to profit by her neighbour's troubles. In fact, the Tartar occupation was prolonged at last mainly by the aid which Poland gave to the barbarians. The same opportunity was more abundantly used by another neighbour of Russia, which had grown strong upon her decay. About a century after the

fatal divisions that followed the death of Wladimir, the Lithuanians, a tributary people living on the borders of the Baltic, set up a separate monarchy, and speedily tore province after province from the weakened Russian princes. They conquered Grodno, Minsk, Polocsk, and Smolensk; and, in spite of the Mongols, they carried their victories in the year 1320 into Volhynia and Southern Russia, even up to Kiew. The fruit of all these victories accrued to the profit of Poland; for in the year 1386 the two Crowns were united by the marriage of Jagellon, the Grand Duke of Lithuania, to the Queen of Poland. The political union of the two countries followed in course of time, though not immediately; and the consequence was that all the Russian spoil which fell to Lithuania, as well as all that which the Poles had conquered for themselves, were united under a single Crown. The result of this partition of Russia, which, for aught we know, may have been characterized by the defeated Russians of the period as "the greatest crime of modern times," was, that about the year 1450 the division of territory among the spoliating powers stood as follows :—The Mongols held all the country that was drained by the Volga and the Don. The Poles had left the Vistula far behind, and had possessed themselves of the vast intervening plain, some five hundred miles in width, that is drained by the head waters of the Dwina and the Niemen towards the north, and by those of the Dnieper towards the south. Between the two the Russians had become a captive people. Such native princes as they still had were not independent, but were vassals of either Pole or Mongol; and they were under the rule not only of aliens in race, but of

aliens in faith, for they were Greeks by religion, while the Mongols were Mahommedan, and the Poles were Catholic.

At last, towards the end of the fifteenth century, the tide which had set against the Russians for more than three centuries began to turn. The time was come when they were to shake off their long bondage, and to commence the slow process of gradual liberation. They began with the Mongols first. The small principality of Moscow, one of the fragments into which the empire of Wladimir had been split up, had gradually struggled its way to a comparative independence. Its princes contrived, partly by marriage, partly by war, to extend its frontier over some of the petty adjoining districts. In 1477 the power of its Grand Duke, Ivan the Great, had sufficiently increased to embolden him to refuse tribute to the Mongol. His rebellion was successful; and four years afterwards the last Khan of the Golden Horde, as the invaders had called themselves, perished in battle. The supremacy of the Mongols was overthrown as completely as that of their co-religionists the Moors about the same time in Spain. Freed from their Asiatic masters, the Russians lost no time in trying to reverse the process by which such vast masses of Russian population had become Polish subjects. But for nearly two centuries more the ultimate issue seemed doubtful. In the course of the sixteenth century the districts of Smolensk, Tchernigow, and others were won back; but the Russian Government was not sufficiently consolidated to retain its hold. Its strength has always consisted in the strength of its rulers; and when they fail, there is nothing in the national organization that can supply

their place. So long as Ivan III.,[1] Wassilij,[2] and Ivan the Terrible[3] occupied the throne, the reconquering career of the Russians, though subject to occasional vicissitudes of fortune, suffered no material check. Population after population of Russian blood and language were reunited to the main body of their race. But in the year 1598 the long line of Rurik failed. A period of anarchy followed. Boris Godunow,[4] the brother-in-law of the last Czar, procured his own election to the vacant throne. But he could not make himself heir to the spell which the lineage of Rurik had exercised over the Russian mind. The people who had patiently endured the cruelties of a madman at the hands of the last Ivan, resented the far milder caprices of the upstart Boris. A year or two of severe famine added to the unpopularity of his reign; and before he had filled the throne for five years the people were ripe for a revolt. The throne of Poland was at that time occupied by Sigismund III.,[5] by birth a Swede, and by religion an enthusiastic Catholic zealot. The disaffection of the Russians to their Czar seemed to him a favourable opportunity for extending the domain both of his adopted country and his faith. In order to do so, he betook himself to the same device as that which James IV. of Scotland had used against Henry VII. of England about a century before. He started a Pretender to the Russian throne. The impostor was a mad Greek monk, who had been turned out of his convent

[1] [Reigned from 1462 to 1505.]
[2] [Wassilij IV. reigned from 1505 to 1533.]
[3] [Reigned from 1533 to 1584.]
[4] [Reigned from 1598 to 1605.]
[5] [Born 1566, died 1632. King of Sweden and Poland.]

and to escape further punishment had wandered into Poland. He was duly instructed in his part, and ostentatiously converted to the Catholic faith—bound over in a solemn covenant by the Nuncio to introduce it into the realm of Russia—married to the daughter of a Polish chieftain—and then proclaimed to the world as Demetrius[1] the son of the last Ivan, whose death had been proclaimed, but who had really escaped. He was sent into Russia with a Polish army just as the disaffection against Boris had reached its height. He was received with enthusiasm, defeated the Czar's troops without difficulty, and was relieved from all further opposition by the Czar's sudden and timely death, which the uncharitable have attributed to poison.

But when the Russians had obtained and duly enthroned their Perkin Warbeck, they were far from satisfied with the acquisition. He himself observed Polish manners in his feasts and his receptions, and his Polish wife loved to dress according to the costume of her own nation, and to parade her devotion to the Catholic religion. A rival party sprang up, with a Russian noble at its head; and the false Demetrius, becoming nervous as to his position, jumped out of window and broke his neck. But King Sigismund of Poland, having found out the utility of frequent revolutions in absorbing the energies of his hereditary foe, was not to be deterred from the employment of a Pretender, by the fact of the Pretender having broken his neck. A new Demetrius was discovered, as soon as a man could be found who

[1] [His real name was Gregory Otrepieff. The true Demetrius, or Dmitri, was the younger brother of Boris Godunow's brother-in-law, and was killed in prison at Uglitch.]

would undertake the perilous venture, and was sent with a new Polish army to the walls of Moscow. Many battles were fought, and sieges undertaken. The Polish army lived at free quarters, and ravaged, burnt, and robbed like a horde of second Tartars. But, after a time, it occurred to King Sigismund that he should like to draw a more direct profit from these operations, especially as the new Demetrius did not show himself so pliable as his predecessor upon the subject of the Catholic faith, and rather betrayed an inclination to assure his own position by cultivating a popularity with the Greek priests. It was true that the year before Sigismund had signed a treaty, solemnly promising not to go to war with Russia. But that circumstance did not disturb him. In the interests alike of his family and his faith, he marched with a great army to Moscow, to seat himself upon the throne of Russia. For the sake of decency, however, he ultimately consented that the name of his son Ladislaus,[1] should be substituted for his own. A formal election was extorted by an armed force out of the nobles who were present in the capital: the second false Demetrius was set aside; and in order, as Sigismund paternally observed, to avoid any disputes between himself and his son, he occupied again the districts of Smolensk and Tchernigow, which had been recovered from Poland by Wassilij about eighty years before. Sigismund's relatives in Sweden were in the mean time making the best use of this valuable opportunity. Professedly they had come to help the Russian Czar against his Polish enemies. Actually, however, without a

[1] [He reigned nominally from 1610–1613.]

pretence of provocation or of right, they improved the occasion by annexing Novogorod and the Russian provinces that lay upon the shore of the Baltic. The result was that for the time Russia was absolutely shut out from any access to that sea. Some years of confusion followed the election of Ladislaus. He continued to reign, in name at least, upheld by a Polish military force. These soldiers occupied Moscow, and enacted scenes of much the same character as those of which Warsaw was the theatre in the next century. They first disarmed the population, and then plundered according to their fancy, first, of course, taking the precaution to empty the public treasury. The Muscovites submitted for some time peaceably—even when the Polish soldiers gave expression to their Catholic zeal by taking shots at the images of the Greek saints. At last they could endure it no more, and they rose upon their oppressors. With perfect presence of mind, the Polish commander ordered Moscow to be set on fire in several places. The order was obeyed, and the city was burnt to the ground. Everything except the Kremlin and a few churches was laid in ashes, and 700,000 people were turned out, in a state of absolute destitution, to find shelter where they could against the rigour of the Russian climate in March. At last the oppression became intolerable. The inhabitants of Eastern Russia rose, drove the Poles out of Moscow, and kept Sigismund at bay till the nation had had time to elect Michael Romanow, son of the Patriarch, to be its Czar. From this date (1613) war was continued by the Poles for five years longer. At last peace was restored, on the condition that Sigismund should retain the conquests he had made,

but should renounce his claim to dispose of the Russian crown. Michael Romanow became Czar of Russia, and Ladislaus had to renounce his ambitious dreams. But it was half a century before Russia recovered from the losses which Poland had seized a moment of transient weakness to inflict. It was not till 1667 that the Russians were able to win back the provinces of Smolensk and Tchernigow, which Sigismund had seized in order to avoid any cause of difference with his son. It was not till much later that she recovered the valuable territories that Sweden had upon another frontier simultaneously taken the same opportunity to appropriate.

This partition of Russian territory by Sweden and Poland does not figure in the declamations of Liberal writers as "the greatest crime of modern times." It took place in the century previous to the partition of Poland, and was parallel to it from many points of view. Both were carefully timed so as to take advantage of a period of internal anarchy. Both began by seating the nominee of the partitioning power upon the throne of the country, and ended by a seizure of territory. Both were undertaken with the professed object of advancing the interests of a religious creed as well as those of an ambitious dynasty. Both were open to the reproach of disregarding treaty engagements. They only differed in one point. Catherine united to her empire populations who already belonged to its race and its religion: Sigismund annexed to his kingdom populations who were alien to it in both. Yet the heinousness of Catherine's proceedings has almost passed into a political axiom, while the world has heard very little of Sigismund's misdeeds.

There has been no emigration of Russian nobles to tell the tale of it in fancy colours in every European capital; no powerful Church to lament, under the guise of a sympathy for the oppressed, the miscarried hopes of a military propaganda.

At all events, it was not to be expected that the Russians should consign their experience to the same oblivion. After having narrowly missed national extinction, and having lost two large and fertile provinces for half a century, in consequence of the religious and dynastic aims of a Polish king, they may be pardoned for having taken an anxious interest in the political affairs of their lively neighbours. They had learned by a sore experience what was the meaning of the elective monarchy of Poland. The last of the Jagellons had only died in 1572, and yet the election of monarchs to fill the throne that with them had been hereditary had already become nothing but a scramble among foreign potentates for the lease of Poland as a military power. After the brief interlude of Henry of Valois' reluctant sovereignty,[1] Stephen Batory,[2] the Voivod of Transylvania, was the first successor of the Jagellons. The result was that Poland, in addition to a fierce attack on Russia, became involved in troubles with the Turks. Sigismund, the Catholic zealot, was the next. The result was that an impostor was started as a Pretender to the Russian throne, bound by the strongest engagements to make Catholicism dominant in Russia. It became a matter of some importance, therefore, to

[1] [Afterwards Henry III. of France. Elected in 1572, he reluctantly went to Poland in 1574 and was crowned. But his brother Charles IX. dying, he escaped by night to France.]

[2] [Born 1532. Elected King of Poland 1576. Died 1586.]

all the neighbours of Poland to know how and by whom her throne was filled; and the necessity of vigilance upon that point had become impressed upon Russia by an admonition too forcible to be neglected. When, after half a century of trouble, the Russians recovered the territory and the political peace they had enjoyed before Sigismund sent the first false Demetrius among them, it was not unnatural that Russian diplomacy should take an active interest in the vacancies of the Polish throne. It is a curious specimen of the unfairness with which the relations between Russia and Poland have been judged, that, after this performance of Sigismund's, the Czars and Czarinas of the House of Romanow have been loudly blamed for meddling in the elections to the crown of Poland. Such a reproach can only be uttered upon the general principle on which Liberal writers have proceeded, of absolutely ignoring the history both of Poland and Russia previous to the reign of Peter the Great. It was not Russia who first commenced the system of meddling in the elections of Polish kings; nor did she adopt it until, by leaving the use of the Polish army to be scrambled for by others, she had laid herself open to an insidious and well-nigh deadly blow. Nor did she begin the perilous game of fighting a rival race by tampering with the succession to its throne. A contest fought upon such a plan could only end in the disorganization and political death of one of the contending parties. Poland chose the weapons for that deadly duel. It does not lie in her mouth to protest against them now, simply because she could not use them so skilfully as her antagonist.

It was indeed madness for the Poles to provoke

a struggle on those terms. The seeds of anarchy were sown far too thickly upon their soil to need the fostering husbandry of foreign diplomatists. In 1668, the very year after Russia had effaced the last vestige of Sigismund's inroad, and had compelled Poland to disgorge her conquests, a striking illustration of it occurred. John Casimir,[1] Sigismund's son, disgusted with the anarchy amidst which he had reigned, and the hopelessness of working an impossible constitution, had abdicated. The great nobles of the kingdom, anxious to procure a counterpoise to the preponderance of Russia, whose revival had forced itself with unpleasant vividness upon their perceptions, and also anxious to procure some simplification of the constitution that should add to their own power, proposed to elect some great French commander, such as Turenne, or Condé. But the smaller nobles, in most cases little removed from beggary, keenly valued a system which made them politically equal with the wealthiest. They clung to their privileges. On one occasion it was proposed to them to modify the *Liberum Veto*, on the ground that unless the Diet could come to a vote, the army, which, like ours, was paid by a yearly vote, must be disbanded, and that the territory would then be open to a foreign invader. Their patriotic reply was "that they preferred to expose the State to foreign invasion rather than suffer the slightest violation of their liberties."[2] It is probable that those liberties had a money value. It is certain that in all the subsequent elections bribes were largely used, and proved to be singularly effective. The best solution

[1] [Elected 1648. Abdicated 1668, and died 1672.]

[2] ["Histoire de l'Anarchie de Pologne." Rulhière, vol. I.]

of the conduct of the smaller nobles upon the occasion of electing a successor to John Casimir, is that Russia had even then begun to defend herself by intrigue against the election of another hostile king. Whatever their motive, they utterly refused to hear of a French candidate, and elected, very much to his own surprise, an obscure, poverty-stricken, deformed member of their own body, named Michael Koributh.[1] The greater nobles refused to submit to this election, and put John Sobieski[2] at their head. Some years of anarchy followed. One party appealed to France, the other party appealed to Austria. At the very time that Sobieski with a Polish army was saving his country from the Turks, a price was set on his head by the legal power at Warsaw. The contest was at last terminated by the death of Michael and the unanimous election of Sobieski. But he was only elected on the condition that the *Liberum Veto*, and all the worst abuses of the Polish Constitution, should be scrupulously maintained.

His reign was a succession of brilliant exploits, such as fitly adorned the reign of Poland's last independent king. But no brilliancy in war could save the republic now. The evil of interested partisanship had eaten too deep for the strongest hand to eradicate. One among the many vices of the Constitution was the vast profit with which it rewarded the party who were successful in the election of their candidate to be King. The Crown domains were exceedingly large, and it was the practice of the King, when elected, to farm these out

[1] [Elected 1669, died 1673.]

[2] [1629–1696. He was elected King in 1674, and in 1683 drove back the Turks from Vienna.

at very low rents among his foremost partisans. It was the making of a man's fortune to have been prominent among those who had supported the successful candidate. The system was not unlike that which we have seen working in America in our own day, and it bore precisely the same fruit. The spirit of party, strengthened by these fierce contests for these immense prizes, swallowed up the spirit of patriotism altogether. But the Poles were subject to another temptation, to which American patriotism has never been exposed. The valour of the Polish troops, and the unscrupulousness with which they were employed, made it a matter of almost necessary precaution for neighbouring Powers to seat, if they could, a harmless king upon the Polish throne. It was, therefore, worth their while to bribe. The Polish nobles, accustomed to look upon the elections as matter of party and personal spirit, were not too virtuous to be bribed. The result was that a Russian party, and a Swedish party, and a French party, and an Austrian party were formed, headed by the respective ambassadors of each Power. As soon as such a system of domestic politics had formed and hardened, the independence of Poland was practically at an end. The partition had already begun. The territory was unbroken, but the hearts of the population were already parcelled out. Each election was more and more determined according to the relative influence of foreigners, less and less according to the interests of Poland.

On the death of Sobieski, Frederic Augustus of Saxony[1] was elected under the influence of Russia. A strict alliance was formed between the two

[1] [Elected 1698, died 1733.]

countries, 20,000 roubles having been forwarded from the Russian treasury to Warsaw to enable the King to secure the consent of his patriotic Senate to the treaty. But Peter the Great was defeated by Charles XII. at Narva,[1] and the occupancy of the Polish throne was changed as a matter of course. Frederic Augustus was expelled, and the Swedish conqueror handed the vacant diadem to his own nominee, Stanislas Leczynski.[2] In a year or two the fortune of war was changed: the power of Charles was utterly overthrown at Pultowa, and, as a necessary consequence, Stanislas was exiled, and Frederic Augustus returned to take his place. Stanislas fortified himself during his exile by marrying his daughter to the French King, Louis XV.; and when his rival died, in 1732, he succeeded in procuring his own re-election to the throne, upon the strength of expected support from France. But Cardinal Fleury had a constitutional aversion to fighting, and the expected French assistance shrank, for all practical purposes, to the modest dimensions of a detachment of 3000 men, who came too late to be of any service. The Russian party procured another Diet, which elected the Russian candidate, and Stanislas was again driven from the throne. After this the Russian predominance was so well established that no further effort was made to disturb it. The last King of Poland, Stanislâs Poniatowski,[3] was nominated by

[1] [Fought in 1702.]

[2] [Elected 1702, deposed after the battle of Pultowa, in 1709, he was re-elected in 1733, but on the approach of a Russian army he fled the country in 1734, and was succeeded by Frederic Augustus, son of the previous King. He died in 1763.]

[3] [Born 1732, abdicated in 1795, and died in 1798.]

the Czarina Catherine in 1764, without any serious opposition of the other Powers of Europe. It was found necessary to spend upwards of 100,000 roubles in the purchase of patriots—in fact, the Primate alone is recorded to have cost 12,000 ducats. But, except in overcoming their coy reluctance, the Russian Empress met with no obstacle to the complete accomplishment of her will.

As far as the Czarina was concerned, it is probable that this arrangement might have lasted for an indefinite period of time. Without, apparently, being disagreeable to the Poles, it secured to Russia as complete a mastery over the Government of Poland as England possesses over the Government of the Deccan. It gratified every feeling of ambition, or of pride of race, or of religious sympathy, that could inspire the Russians. It gave them an absolute security that the power of Poland should never again be turned against themselves; that the Russian provinces which were under the Polish yoke should be protected, and the Greek Church should be sheltered from intolerance, which in recent times had become the principle of the Polish Government. Russia had no cause to desire a change. The existing state of things gave her what in the subsequent transaction she lost—an influence that reached as far as the frontiers of Silesia and Moravia. It was not from Russia that the proposal of partition came. It had been ventilated more than once. Towards the end of the sixteenth century the idea had been originated by the Court of Austria. In the middle of the seventeenth century Charles XI. of Sweden, just before the abdication of John Casimir, had made an effort to preserve to his House at least a portion of the

government of Poland by suggesting a similar project. Both these proposals fell to the ground for want of sufficient support. There are fruits which are not deemed ripe for plucking till they are rotten: and the maturity of Poland for partition seems to have been estimated by the same rule. To Frederick the Great of Prussia belongs the credit of having initiated the scheme which was actually carried into execution. It is now admitted, even by German historians, that the first partition was proposed to Catherine by Prince Henry of Prussia, on behalf of his brother Frederick, and with the full acquiescence of Joseph, Emperor of Germany. Frederick had never been troubled with scruples upon the subject of territorial acquisition, and he was not likely to commence them in the case of Poland. Spoliation was the hereditary tradition of his race. The whole history of the kingdom over which he ruled was a history of lawless annexation. It was formed of territory filched from other races and other Powers, and from no Power so liberally as from Poland. Till a recent period his predecessors had been Polish vassals.[1] More recently still, he himself, when extending his motley kingdom by sewing it to a shred of the Austrian Empire, had freely used Poland, without the slightest permission from her Government, as a recruiting-ground for his army, and foraging-ground for his Commissariat. His project for extending his own kingdom by seizing another slice of Poland was, therefore, at most a matter of the ordinary business of every day life

[1] [From 1525, when Prussia became a hereditary duchy, till 1657, when the Great Elector by a mixture of "diplomacy" and force obtained its complete independence, East Prussia continued to be a Polish Fief.]

to him. His fathers had done it before him; and he himself had become a great man, and filled a large space in the history of his age, by virtue of his skill in such undertakings. If he could have been told that the ultra-Liberals of Europe, his own favourite *côterie*, would one day raise such a yell of indignation because he treated Culm as he had treated Silesia, he would have heard it with contempt, no doubt, but with unutterable surprise. The Prussian historians of a later time have bestowed much labour in demonstrating that Frederick could plead for his actions the "tyrant's plea, necessity." The great man himself would probably have thought it superfluous to defend himself for fulfilling what he looked upon as the natural function of his dynasty. But if he had been puzzled to understand the attack upon his own proceedings, he would have been still more perplexed at learning that in the apportionment of the guilt of the "great crime," he was ranked as an inferior criminal to Catherine.

The position taken up in regard to the question by the two German Powers naturally altered the policy of Russia altogether. If no other Power had interfered, the existence of Poland in a dependent and subordinate condition was in no way hostile to her interests. It would have been absurd to expect that she should have abstained from all interference in the affairs of Poland. The bitter rivalry of centuries—the events, comparatively recent, which showed that in Polish breasts that rivalry was neither dead nor sleeping—the tremendous injuries which in times not long past Russia had suffered at Polish hands—the hundreds of thousands of Russian race and Russian faith who were still subject to the lawless sway of Polish nobles—and the utter

anarchy, fatal alike to domestic peace or strict good faith with foreign Powers, into which Poland had been plunged for generations—all combined to preclude Russia from a policy of passive disregard. But as long as she could control the foreign policy of the republic, and limit its military force, its internal administration was a matter of small concern to her. The continuance, however, of such a state of things depended upon Poland being free from attack upon her other frontiers. The whole face of the question was changed, as soon as a proposition emanated from two strong military monarchies well able to carry it out, to advance their own frontier over Polish ground to the neighbourhood of Russia. Undoubtedly a sovereign of a Quixotic temperament, with an imagination sufficiently strong to discover matter for admiration in the Government of the Polish nobility, might have made war with Prussia and Austria to preserve the integrity of Poland. Those who have watched the course of a more modern experiment to keep "sick men" alive by the force of a foreign guarantee, will form their own judgment as to the probable success or advantage of such a policy. Catherine was, undoubtedly, very far removed from being a Quixotic sovereign. But the course she took was, at all events, one of which the Poles, who for centuries had been a conquering race and who had generally conquered at the expense of Russia, had no right whatever to complain. She effaced the last vestige of Polish domination in Russia. She re-united to the rest of the Russian race the Russians who for centuries had been under the yoke of Poland. She occupied what still remained under Polish sway[1] of

[1] Poldachia and Chelm, which were originally Russian and

the country of the Niemen and the Dnieper, which centuries before had belonged to the empire of Wladimir and Jaroslaw.[1] But she did not seize a single acre of genuinely Polish ground. The only Poles who came under her dominion were the nobles who had received huge grants of land out of Polish conquests, and a certain number of fugitives who had fled from the rigour of the Polish slave law, and found a refuge among the Cossacks of the Ukraine. But wherever she raised the Russian flag the body of the population was Russian, the language was Russian, and, with the exception of some estates upon which a forced conversion had been effected by persecuting nobles, the religion was that of the Greek Church.

Now, was this proceeding, that which Count Zamoisky[2] called it the other day at Manchester, "the great crime of the age?" Even if it were to be judged of by itself, we should hesitate to award to it that pre-eminence. In its execution there was room, undoubtedly, for those accusations of breach of treaty which have been so vehemently made. How far the hostile acts of one contracting party can release the other from his engagements will always be a moot point of national morality; and therefore it is a fair subject of discussion whether Catherine was released from her promises to uphold the integrity of Poland by the efforts of the

conquered by Poland, were not retained by Catherine. One passed to Prussia, the other to Austria.

[1] [Grand Dukes of Russia from 980 to 1054.]

[2] [Count Ladislas Zamoisky. His brother Andrew was one of the most prominent Poles of the day. The meeting referred to was one of several in the country. It took place on March 24, 1863.]

dominant party to place Poland at the disposal of Austria. But at all events, her course was loyalty itself compared to some of the transactions which the same generation had witnessed. It involved no breach of treaty so flagrant as the seizure of Silesia; it was accompanied by no deception so shameless as the red treaty by which Clive made England the mistress of Bengal. But to shut out of view the rest of Russian and Polish history is to take a narrow view of the question, and to try it by principles which we never apply to the acts of nations with whose earlier history we are more familiar. It was in truth but a single battle in the long campaign which had lasted for eight hundred years, and which even now is not concluded. The case of the Moors and Christians in Spain presents a tolerably accurate parallel. In the year 700 the Christian Goth is master of the whole of Spain. He is conquered by the invading Moor, and for some centuries can only call his own a narrow strip of his former splendid monarchy. From generation to generation the contest proceeds at intervals with varying fortune. The Christian power is weakened by being split up into several minor states. At last the civil dissensions of the Arabs open a favourable opportunity to the Christians, and they begin to recover the ground they have lost. By slow degrees, at long intervals, and in spite of occasional reverses, the Christians recover tract after tract of their old dominion. At last, when nearly eight centuries have passed away, the great mass of that from which they had been driven is united again under the hand of one Christian King. Nothing remains to the invaders but the single province of Granada. What does Ferdinand the

Catholic[1] do? Does he acquiesce in the foreign yoke to which Spaniards and Christians are subjected because of its antiquity? Does he look on it as a great crime to bring those of his own race and faith back under the same sceptre as their countrymen and fellow Christians? True, the Arabs had held Granada in undisturbed possession for close upon eight hundred years. It was an adverse possession far longer than that which the Poles could plead when Catherine resumed the sovereignty of Witebsk and Volhynia. Yet Ferdinand's conquest has never been regarded as the great crime of his age. Every circumstance that, according to the popular theory, should have protected the Poles against Catherine, should have protected the Moors against him—long possession, a great history, and the feebleness of imminent decay. But historical politicians, thoroughly familiar with the struggle of which the seizure of Granada was but the crowning act, refused to condemn a reconquest as if it was an aggression, or to pass judgment upon the separate movements of which the secular struggle of two great races was made up. If they had followed the long contest between Russian and Pole with the interest with which they watched the struggle of the Christian against the Mussulman, they would not have passed so superficial a judgment upon the events of 1773–95. War, in whatever form it comes, is a horrible and barbarous thing. It must produce slaughter and rapine; it must often reduce the free to dependence, and the prosperous to ruin; it must frequently condemn proud and renowned

[1] [1452–1516. He became the ruler of the whole of Spain in 1512.]

nationalities to insignificance or to extinction. But its ethical character is not altered by the fact that it is long or short. It must be tried by the same rules and condemned or acquitted upon the same principles, whether it be a war of centuries or a war of years.

We have more than once alluded to the difference of religion between the Poles, and their subjects upon the east of the Niemen and the Bug, as constituting a material element in this case. It was strongly insisted on by Catherine herself; and the maltreatment which the Dissidents, as all non-Catholics were called, received from the dominant Catholicism formed a frequent subject of complaint from Protestant Prussia on one side, and orthodox Russia on the other. Writers on the Polish side have affected to treated this consideration with contempt on account of Catherine's notorious vices, which were inconsistent with the assumption of any zeal on behalf of any religion. But such reasoning is wholly beside the mark. The question of Catherine's domestic qualities has nothing whatever to do with these transactions, though it has obviously exercised a material influence upon the judgment that has been formed of them. Defenders of the faith, in all times and places, have been apt to indemnify themselves for their public zeal by a very liberal view of their private duties. It is not necessary to believe that the present Emperor Napoleon was actuated by the spirit of a Crusader, when he fought so fiercely for the rights of the Latin monks to a key of the church of the Holy Sepulchre at Jerusalem; or that his strenuous defence of the Pope's independence is the result of a passionate devotion. But his right

to appear upon those questions is not the less admitted. In cases where a sovereign claims to give effect to some religious sentiment, he rests himself not upon his own convictions, but upon the convictions of his subjects; and if their feelings upon the matter in hand are genuine and earnest, his title to appear as a religious champion is incontestable, whatever his own personal morality may be. There is nothing incongruous in a vicious prince drawing his sword in a religious cause, because he is acting, not in his own behalf, but as the representative of his subjects. Catherine may not have been personally actuated by a very warm zeal for the Greek faith, but she ruled over thousands of priests and millions of people who were; and their feelings, on a point that always moves masses of men so energetically, it was her manifest interest to consult. And, as she had been raised to the throne in a great degree by the discontent of the priesthood at her husband's measures, she had every reason to know and to appreciate the value of their political adhesion.

Her interference, therefore, on behalf of the Polish Dissidents cannot be taxed with insincerity, unless it can be shown that there was no truth in their complaints of persecution. But this is precisely the weak point of the Polish case. In spite of the enthusiastic admiration with which the Liberals of Europe have regarded their institutions, they were the only nation who, in the full light of modern civilization in the seventeenth and eighteenth centuries, renounced their former tolerance and betook themselves to persecution. The cause of this strange relapse into a vice from which most of the other nations of Europe were

struggling to get free is somewhat obscure. Partly it appears to have been the irregular zeal of the Swedish Sigismund, partly the steady proselytism of the Jesuits, and partly the growing exasperation of faction, which was making the ideas of tolerance and forbearance every year more alien to the temper of the nobles. Whatever the cause, the effect was marked enough. In Poland proper, and the western provinces of the republic, the change of policy chiefly affected the Protestants. At the beginning of the seventeenth century Sigismund commenced the practice of admitting no Dissidents to office or to the Senate, which, in a country where law was almost unknown, practically implied the withdrawal of all protection. Popular tumults were stirred up against them. Some sects were driven altogether from the country; others were forcibly ousted from their churches. Nor was the persecution confined to the prohibition of their teaching. The practice of extirpating religious differences by the slaughter of the heterodox was carried far into the eighteenth century. In the year 1687 we still find a case of burning alive for religious error, and even so late as the year 1724 a magistrate at Thorn was executed for his Protestant opinions. In the eastern portions of Poland it was the Greek Dissidents of Russian blood who suffered. The animosity of the Poles against the Greek faith was heightened, no doubt, by political causes. Their war with Russia in 1610[1] was, in the main, a war of proselytism, and left behind it no friendly feeling towards the faith whose stedfastness the efforts of the Poles had not availed to shake. A fierce persecution of

[1] [*I.e.* of Sigismund III.]

the Cossacks of the Ukraine was the result. The cruelties that were perpetrated in it were said—like those which will attach eternal infamy to the name of the Marquis Wielopolski[1]—to have been planned for the purpose of goading the people into open rebellion before the disaffection had spread too widely to be easily crushed. A law was passed, reducing at one blow the whole Cossack population to serfdom. Priests who refused to submit to the Papacy were thrown into prison. Churches were taken away from the "schismatics" and handed over to the Catholics. The schismatic dust of many generations of ancestors, which lay in the churchyards, was insultingly dug up and cast out. The very tribunals were brought under the all-pervading influence, and were administered, as the historian phrases it, "instinctu Reverendorum Patrum Societatis Jesu."[2] The plan succeeded to admiration. Stung by this mixture of insult and oppression, the Cossacks rose. For a time, under the leadership of the heroic Sulima,[3] they maintained a gallant struggle with their oppressors, not unlike, in its utter desperation, to that which the Poles are now maintaining against an overwhelming force of Cossacks. But their undisciplined, ill-equipped valour was no match for the still unbroken prowess of the Poles. The rebellion was bloodily suppressed.

[1] [A Pole born in 1803. He took part in the rising of 1830. Later he became a moderate partisan of Russia, and was made Polish Minister of Worship. On April 8, 1861, a crowd, apparently peaceful, were fired on and sabred in Warsaw, and other severities followed. These events were attributed, perhaps wrongly, to Wielopolski's advice. He finally retired from office in September, 1862, and died at Dresden in 1877.]

[2] [Grondski, p. 33, ap. Hermann.]

[3] [In 1637.]

Sulima was captured and impaled alive; his inferior officers were despatched with proportionate barbarity, and for the time "order was restored" in the Ukraine. For the rest of the seventeenth century this ferocious evangelization was carried on without much abatement. The complaints made by the Russian populations, and even of the nobles amongst them, of the oppression to which their faith was subjected were loud and constant. During the great Cossack rebellion of Chmelnicki[1] in the year 1648, the appeals which the leaders of it made to the Greek Christians to join them against their Catholic masters show that the wrongs of the Greek Church were still a powerful inflammatory topic. Although there is not, after this, recorded to have been any such open and flagrant oppression as that which first drove the Cossacks into rebellion, the Dissidents were still subjected to severe oppression, and came to be treated after a time as an anti-national party. The efforts of the Polish landowers to force their Russian serfs into Catholicism are frequently spoken of in the century that preceded the partition, and must have arisen, like Catherine's defence of them, not from evangelical fervour, but from a very natural political motive. The result was to add a very formidable element to the dissensions which hastened the fall of the republic. After two centuries of persecution, the loyalty of the Dissidents had become a very lukewarm quality. They openly leaned upon Russia and Prussia to obtain support against their Catholic antagonists. When Catherine was enforcing the election of

[1] [A leader under whom the Cossacks achieved practical independence from 1648 to 1657, when he died.]

Poniatowski, the last King, two confederations of Dissidents formed themselves on her side. In the course of his reign two separate risings of the peasantry of the Greek faith added to the other distractions of the republic, and were remarkable for this,—that they were the only sign of thought or feeling that the peasantry gave while what is called their country was being destroyed. When the partition ultimately took place, not one of the unennobled inhabitants of the provinces that were to be annexed to Russia could be found to take up arms in defence of Poland.

So far as any conquests can be defended, the defence of Catherine appears to us to be complete. The plea of a common religion, which was held to justify conquests in old time; the plea of a common nationality, which in our own days has been esteemed an ample apology for the most lavish bloodshed and the most flagrant contempt of treaty; the plea of ancient possession, which has been allowed as at least a good excuse for war in every age; the exigencies of her frontier and the necessity of a counterpoise to the growth of powerful neighbours, which is a principle not wholly unknown to the European diplomacy of the present generation; all these pleas combine to justify the annexation of the provinces which Catherine reconquered from her empire's hereditary foe. All that can be advanced to excuse the conquest of Granada by the Spaniards, of Calais by the French, of Bengal by the English, of Lombardy by the Italians, and of Savoy by the present Emperor of the French, may be justly pleaded on behalf of that which, by dint of constant repetition, Europe has learned to characterize as the "great crime of modern times."

Partly from the just horror excited by her personal history, partly in consequence of the cruelties which in later days Russian Czars have perpetrated upon the Poles, it has always been the fashion to concentrate upon Catherine the indignation which the extinction of Poland has excited. We have stated our reasons for acquitting her: we must devote a few words to her coadjutors. Their defence is not so easy. Von Sybel undertakes the advocacy of Prussia, and executes it with his customary clearness and force. But he can make no other case out for the Prussian Sovereigns than this:—He admits that the partition of Poland was no part of Catherine's policy, and was pressed upon her reluctant acceptance by the Courts of Vienna and Berlin. But, he urges, if the German Powers had not insisted upon a partition, Catherine's supremacy over the Polish Government was such that for all purposes of foreign policy the frontier of Poland was really the frontier of Russia. Such a defence assumes that it is lawful by armed aggression to counteract foreign influence at a neighbour's Court. It would be very dangerous to embody such a principle into international law. Yet it is impossible to deny that it has some validity, if the doctrine of the balance of power is not a mere delusion. Influence, if it be excessive and constant, is veiled conquest. The intense anxiety which the Great Powers have displayed to warn each other's reigning families off such new thrones as those of Greece and Belgium arises from that unquestionable fact.[1] The remonstrances

[1] [In 1862 the Greeks elected as King the English Prince Alfred, who refused the throne in compliance with the agreement between England, France, and Russia whereby no member of the

which the Western Powers thought themselves at liberty to address to Austria against the secret treaties by which she retained the small Italian States under her influence rest upon no other basis.[1] It follows, therefore, that if conquest may be met by conquest, in order to preserve the balance of power, influence, where it amounts to conquest, may be also met by conquest. The truth is, that in a carefully balanced structure like the European system of nations, each State has a vested right in the complete and real independence of its neighbour. It is so vital to the interest of all the surrounding States, that they cannot ignore any change of circumstances that may have compromised its reality. If from any internal rottenness, that independence shall have become an absolute impossibility, they cannot affect a polite unconsciousness of the fact. They must, for their own safety's sake, take precautions to ensure that if it is to be dependent upon any Power, it shall be equally dependent upon all. They may effect this either by a tutelage of ambassadors, such as that which is established at Constantinople, or by a partition. Either proceeding is equally inconsistent with any true national life in the State that is to be operated upon. It cannot be said that the Turkish arrangement has been eminently successful in averting war.

ruling families of those countries could be King of Greece. Similarly in 1830 the Duc de Nemours, second son of Louis Philippe, was compelled to decline the Belgian throne.]

[1] [By secret treaties made in 1815 and 1847 Austria had obtained a protectorate over Tuscany, Parma, and Modena. In 1859, Lord Cowley was sent on a special mission to Vienna with the approval of the French Government with the object, among others, of inducing Austria to modify these treaties; and the same point was pressed more than once by other diplomatic channels.]

And it is very doubtful whether it would, with all the humiliation that it involved, have been even practicable with a people who were not gifted with an Oriental facility of submission. But, as a matter of self-preservation, neighbouring powers must exact one of these two securities from a State which has become permanently anarchical and defenceless.

That Poland was in that condition was not a matter capable of dispute. Ever since the death of Sigismund, a century and a half before, anarchy had been the normal state of things. No part of the constitution would work. All offices were put up for sale, and were made to pay their purchase-money with abundant interest to those who bought them. There was no powerful executive to correct the anomaly, as it was corrected in France, by a system of co-ordinate administrators directly dependent on the crown. The army was placed under the command of generals whom it was not in the King's power to dismiss. It was paid, like ours, by annual vote of the Diet; but the Diet could only transact business so long as the patriotism of all its members was strong enough to prevent any one of them from uttering the *veto*, which could at any moment bring their proceedings to an abrupt close. The deputy who ventured to pronounce the fatal word frequently paid forfeit for it with his life, unless he was clever enough to escape; but it was not the less effectual and irrevocable. As the antagonism of factions increased, this senseless prerogative was exerted more and more recklessly, and the army was often, in consequence, left absolutely unpaid for years. The devices for securing the unanimity of the Diet were very various.

Sometimes the nobles assembled in great force round Warsaw to menace the recalcitrant; sometimes the army itself encamped outside, and the votes for its payment were carried under its own supervision. On one occasion the King borrowed an idea from the English administration of the law, and shut the Diet up without food until it could agree. In later times the duty of securing unanimity devolved upon the Russian ambassador, who proceeded in extreme cases by threats, but in general by a lavish expenditure of bribes. All these arrangements were not calculated to secure a well-ordered State; but, of course, if there had been either patriotism or sagacity in the nobles, such defects might easily have been amended. They were as nothing compared to the great obstacle to all reform which lay in the singular institution of "Confederations." They have been aptly described as legalized rebellions. Whenever anything in the conduct of the Diet, or of the King, displeased a considerable number of persons, they deemed themselves at liberty to combine together in an armed league, and to enforce, as far as they could, their own views upon their opponents at the sword's point. If they were strong enough, the obnoxious law, or election, was annulled; if they failed, they were not treated as traitors, or held to have done anything unpatriotic. Among an excitable race, little used to restraint, such an abuse once allowed to take root, throve and multiplied. Confederations became the ordinary resource of a minority. At every critical point of Polish history, one or more of these Confederations make their appearance. Any foreign Power that desired it could generally procure the formation of one. The

merits of rival candidates to the throne, the griefs of Dissidents against Catholics, the proposals of reformers, or the complaints of reactionaries, were decided, as a matter of course, not by any legal vote, but by this systematized civil war. It was a curious evidence of the unpractical character of Rousseau's mind that this was the institution, above all others in the Polish system, that excited his admiration. It was the strongest negation of absolute power that it was possible for a political constitution to pronounce. Experience, however, proved what calmer reasoners had foreseen, that complete anarchy, and the dependence which necessarily follows in its train, were the only fruits that so irrational a system could be expected to produce.

It is undoubtedly true that a supreme effort was made by a few who truly loved their country to amend their constitution in some points just before it was altogether swept away. But their patriotism came too late. Century after century the Poles had clung to the worst abuses, had rejected every suggestion of reform, and had wilfully turned away from the warnings that were constantly addressed to them of the end to which their factions would lead. It was not till the last hour of their nation was at hand, and the blindest could foresee the destruction that was imminent, that they consented to entertain a project of reform. The constitution of 1791,[1] of whose merits much has been said, was open to the fatal reproach, that it was a deathbed repentance. It availed as little to avert the retribution which the turbulence of many centuries had

[1] [At a Diet assembled in 1788, a constitution providing for religious toleration, the suppression of the *liberum veto* and other reforms, was adopted, and was promulgated on May 3, 1791.]

richly earned as the concessions of Louis XVI. to avert the Revolution, or the constitution which Francis II. hurriedly offered sufficed to stay the progress of Garibaldi.[1] But even this constitution, specious as some of its provisions were, was in essence only another exhibition of dependence, another provocative of intervention. It was the unhappy destiny of Poland that even her better impulses were the whispers of foreign intrigue. Upon paper, the constitution of 1791 appears to be a patriotic effort to reform notorious abuses; and in the minds of many who supported it, it no doubt bore that character. But, as a matter of fact, it was originated by Austria, and was carried through by Austrian influence. It contains many provisions interesting to the historian and philanthropist of the present day; but its most important provisions in the eyes of contemporary diplomacy were those which made the Crown hereditary, strengthened it with new powers, and conferred it upon the Elector of Saxony, who was a Catholic prince attached to the Austrian party in Germany, and bitterly hostile to Prussia. It was, in truth, only a masked attempt to transfer the vassalage of Poland from St. Petersburg to Vienna, and to obtain, at the cost of Prussia's future security, at once an indemnity and a revenge to Austria for the losses she had sustained at Prussian hands. Prussia could hardly be blamed for refusing to see transferred to Austria a territory that cut her own monarchy in two. Russia and Prussia have been bitterly reproached for struggling against

[1] [In June, 1860, the Sicilian insurgents, headed by Garibaldi, were in possession of almost all Sicily. On July 1, King Francis promulgated the constitution granted to the Two Sicilies by his father in 1848 but never acted upon.]

the reforming constitution of 1791, and for making its adoption the signal for new proposals of partition. The fact is unquestionable; but the motive has been missed. The Polish reforms did not fall upon ground so well adapted for such seed that the prospect of their salutary fruits need have been very alarming to the ambition of Catherine and Frederick William. As far as their tendency was to restore order and independence to Poland, the turbulence of the nobles might have been safely trusted to make them a dead letter. Both the Sovereigns knew too well how Polish Diets were managed to fear the efficacy of any nominal reforms. But the advance of the Austrian power to the Dnieper and to the Netze was a danger of a very different magnitude. Catherine could only reply by the confederation of Targowicz,[1] which annulled the new constitution; and Frederick William had no choice but to occupy in all haste the districts in which Austria had dreamed of setting up a standing menace to Berlin. At the same time it is difficult to deny that dangers of precisely the same kind threatened Austria, and that a converse application of the same defence will avail for her. When a State has once begun to decompose by its own inherent rottenness, the line between overwhelming influence and conquest is so hard to draw, that it is often very difficult to say which of its neighbours is guilty of the first act of genuine spoliation. But it is obvious that when one of them has begun, the rest are forced to imitate by the instinct of self-preservation. If it is once certain that a State must

[1] [By a confederation of discontented Polish nobles at Targowicz, the Russians were, in 1792, invited to enter the country, and the second partition was the result.]

fall in pieces, it becomes a matter of vital interest to its neighbours that they should all share alike in the distribution of its territory.

But this, it will be said, is the old dynastic view. The grounds upon which a country is transferred from one Government to another are not now judged of by the interests of the royal houses who arrange the transaction, but by the wishes of the people who are transferred. The interests of Prussia, and Austria, and Russia, we shall be told, are a very small matter if the people who were the subject of their diplomatic traffic were adverse to the change. Aye, the people! What did they think of it all?—or rather, to go more to the root of the matter, who were the people? The ordinary account of the affair is, that the eighteen millions of people who inhabited the territories of the Polish republic were parcelled out like so many cattle among the three great monarchies, in spite of their deep affection for their old nationality, and their intense aversion for their new owners. This is the outline of the picture which the advocates of Poland have drawn with a free hand, and in which the world implicitly believes. But it bears a very slender resemblance to the original which it professes to represent. The Poland that contrived by weakness or corruption to lose its independence was a Poland consisting of a hundred and fifty thousand souls. Such, at the time of the partition, was the number of the Catholic nobility, who alone bore a share in conducting that ceremonious anarchy which was called a Government.[1] It was their nationality that was destroyed, and it is to their complaints that Europe has been asked to listen for the last half-century. It was not

[1] Lelewel ap. Sybel, ii. 203.

a case of a "virtual representation." It was not a case of an aristocracy conducting the Government of a nation whose sentiments they shared, and who were ready on every occasion of national importance to back them up. The Polish nobility were the Polish nation. Beneath them lay a vast population of millions of serfs, who had never for a century expressed, except upon questions of religion, the slightest feeling or opinion upon any political subject whatsoever. None of the dissensions by which in modern times their superiors had been distracted had ever roused in them the slightest resemblance of a sympathy. Civil war succeeded civil war; the nobles despoiled their neighbours, or were despoiled in turn; territories were annexed or ceded, partitioned and re-partitioned; but the peasantry below remained as unmoved while patrician conflicts were raging overhead as the depths of the ocean in a hurricane. They maintained their impassibility during the whole of the eventful period which terminated in Poland's national extinction. Except two religious risings in the years 1768 and 1789, which took place in the Russian provinces of Poland, and which Catherine was accused of having instigated, the brutalized masses, of whom the Polish people really consisted, never displayed the slightest symptom either of joy or sorrow at the change upon which the eyes of all civilized Europe were fixed. With this explanation before us, the fall of Poland is not very hard to understand. That eighteen millions of people should have been brought under a foreign yoke without attempting to struggle till the foreigners were already masters of the whole land, is utterly unintelligible till some light is thrown upon it by

the fact that only a hundred and fifty thousand out of all these millions were in the least degree interested in the result. But how did this absolute severance of sympathy between the upper and lower classes come about?

The Liberal sympathy which has been lavished on Poland has always been in some degree paradoxical, inasmuch as the Poles are the only European people who in respect both to civil and to religious liberty distinctly went backwards instead of forwards during the three centuries that followed the Reformation. We have already referred to the rise of a persecuting spirit among them, and traced the steps by which a system of religious oppression succeeded to the absolute tolerance of an older period. This tendency was undoubtedly to a great extent imported. Their inclination towards slavery, on the other hand, was of genuine native growth. But, strange to say, it only developed recently, and began to make its appearance just at the time when the Western nations were leaving it off. In the ancient days of Poland, before the close of the fifteenth century, nobles and freemen were far from being convertible terms. There was a very large class, including the chief part of the labouring population, termed "kmetones" or "plebeii" in the laws, who were not of noble blood, and yet were free. They resembled serfs so far that if they rented lands they paid their rent for the land they occupied, not in money, but in so many days' labour upon the lord's land. But they differed from serfs in this essential particular, that they were at perfect liberty to go where they liked. This liberty was carefully secured to them by the law. But towards the end of the fifteenth

century the tone of legislation began to alter. The nobles, in whose hands the power of legislation lay, began to reduce the "plebeians" to a condition more and more dependent on their will. In 1496 was passed the statute that may be called the Magna Charta of the Polish slave-owner. Under its enactments the plebeian was, in the first place, forbidden to acquire land, or, if he possessed it, was forced to sell it; and in the second place, was forbidden to move from one place to another without a pass from the lord. To ensure the efficacy of this new restriction, more than one stringent Fugitive Slave Law was also passed. These two enactments reduced the plebeian at once to serfdom. He ceased to be an owner of the soil himself, and became *adscriptus glebæ* of another man. In this state his condition, though nominally not one of slavery, was much worse than the condition of a slave. For as the peasant was forced by law to occupy the lord's land, and the lord was left to settle the conditions on which he would allow his land to be occupied, the result was that the lord exacted from the peasant precisely as much labour as he pleased, and was not bound to support him in return. Sometimes the lord was reasonable, and only required three days' work, leaving him the other four for his own sustenance. But as time went on, and the nobles became more extravagant and therefore more exacting, the peasant sometimes was compelled to work six days for his lord, and was only allowed to retain one for himself. During the eighteenth century—the last century of Poland's existence—the number of days exacted was increased throughout all the Polish provinces. But this was not the end of the peasant's troubles.

There were numbers of small payments extorted on various pretexts, which he had to make up out of his scanty earnings. And to crown all, he was afflicted with a sort of anticipation of the tommy-shop. He was compelled to purchase at the lord's shop whatever he required beyond the produce of the soil—of such quality, of course, as the lord chose to supply, and at such prices as the lord chose to charge. He had to buy the beer that the lord manufactured, and the herrings the lord bought at Dantzic. And if the result of all these combined exactions was that the peasant could not support himself, the peasant starved—at least in Poland. In Lithuania, where slavery was more openly acknowledged, the lord was bound to support the peasant; and one of the Lithuanian statutes provided, with humane but somewhat Irish forethought, that, if the lord left the peasant to starve, the peasant should be free.

If his social condition was bad, his civil *status* was no better. At the beginning of the sixteenth century it was enacted that his plaint should be inadmissible in a court of justice except with the sanction of his lord. Indirectly, of course, this prohibition placed him absolutely at his lord's disposal. But the Polish nobility were not satisfied with indirect powers. In 1573 it was formally enacted that the lord should have the power of punishing the plebeians at discretion. A little before this time the attention of learned men in Poland appears to have been strongly directed to the Roman law, and Polish legislators were seized with the mania for reproducing its provisions. A more convenient theory for the Polish slave-owner could not have been devised. They claimed

all the prerogatives that were exercised by the Roman master over his slave, and the claim was allowed. "To speak briefly," says Dresner, in 1607, "whatever was the legal power of the ancient Romans over their slaves, the same power belongs to the Polish nobles over the plebeians who are under them."[1] Nor was this bare theory; it was carried to the extremest consequence. Half a century before, it was fully recognized that the lives of the plebeians were at the absolute disposal of their lords. A writer of their own upbraids them for this barbarity in terms of bitter reproach, which may be fitly commended to the consideration of those who have learned to think that the interests of freedom were in any way affected by the fall of the Polish republic. "Your lips overflow with freedom," writes Modrzewski, in 1559, "but there is nought among you but a barbarous servitude which abandons the life of a man to the mercy or mercilessness of his lord."[2] And in another place he reproaches them with, in some provinces, "selling their slaves like cattle."[3] As time went on, the protection which the "plebeians" received from the law appears rather to have diminished than increased. The killing of slaves, not only on alleged grounds of justice, but without any reason assigned, gradually received the sanction of the law, or, at least, a connivance closely verging on a sanction. In 1588, by a statute of Lithuania, the fine of a sum equal to about ten guineas was fixed

[1] Ut breviter dicatur, quæ antiquis Romanis in servos fuit, haec nunc nobilibus Polonis in plebeios subitos est potestas.—Dresner, "Simil.," p. 57.

[2] De republicâ emendandâ, l. 19, ap. Lelewel.

[3] L. 79, ap. Lelewel, 238.

as the penalty for killing a house slave. In 1651, we are told, on the authority of Oligarovius, that anybody might kill a serf for ten golden pieces, but that his owner might kill him gratis—an account of the market price of serfs, which shows them to have been very inferior in commercial value to the negroes of our own day. At the beginning of the next century, in the generation which immediately preceded the Partition, we have upon this subject the evidence of a witness eminently entitled to credence,—Stanislas Leczynski, the twice-exiled King of Poland. The words are well known, but they need to be recalled to the remembrance of those who talk of the "once free land of Poland:"—

"Such necessary persons (the serfs) should, without doubt, be esteemed; but we make scarcely a difference between them and the beasts which plough our fields. We often spare them less than the beasts, and only too often sell them to equally cruel masters, who compel them by increase of work to pay the price of their new servitude. With horror I mention the law which lays upon every noble who kills a peasant—only a fine of fifteen francs."[1]

Even the impending dissolution of the republic did not increase the respect of the nobility for the meanest human rights or the most sacred human feelings. Even in 1781 the traveller Bernouilli relates that "the nobles outrage every maiden that pleases them, and send off with a hundred blows any one that interferes with them."[2]

To estimate fully the depth of the degradation to

[1] "Œuvres du Philos. bienf.," iii. 3. Lelewel.

[2] Bernouilli, iv. 129.

which the Polish nobles had reduced their slaves, it must be remembered that these were no negroes, men of an inferior race imported from a barbarous land and incapable of the acute and sensitive feelings of the white man. They were men of the same race as themselves, differing from them in nothing but accidental claims of birth, and reduced by them to the most abject slavery and the extreme destitution from which slaves are generally free. With these facts in view, most persons will be inclined to agree with the judgment which Von Sybel passes upon the whole case: "When one weighs these relative conditions, one can hardly speak of the Polish nation having been overthrown by the Partitions. What fell in 1793 was the inhuman domination of a few noblemen over the Polish people. These only changed their masters; and watched the change which even upon the Russian side could not bring them more harm than good, with indolent indifference."[1]

It is not upon such a past as this that the Poles, if they are wise, will rest their claims to the sympathies of Europe. It is, of course, open to them to resolve to fight out the old feud of the two nationalities to its bitter end. They have inherited the right, if they choose, to stake their lives upon a last desperate attempt to restore the Poland of old times. If Russia can be justified for the efforts which she made to restore the empire of Wladimir, the Poles can hardly be blamed if they prefer to risk everything rather than renounce the dream of renewing the glories of the Jagellons. But in such an undertaking they cannot count upon the sympathy of Europe. The memory of the persecuting

[1] [Cf. von Sybel (Perry's translation), ii. 407.]

slave-owners, whose corrupt and factious anarchy was trampled out by Catherine, is not a felicitous topic for those to dilate upon who are asking for the aid of free and order-loving Englishmen. Nor would the tale of the Partition, even if the wrongs of the Polish nobles had been as cruel as the exiles love to paint them, in any case be relevant to the present struggle. However faulty the title of Catherine may have been, it was abundantly cured by subsequent events. Since that time the Polish nobles have tried the fortune of war again. In order to restore their own independence, or at least to transfer their vassalage from Russia to France, they made themselves the allies of Napoleon in his efforts to destroy the independence of every European nation. It was a desperate venture for a great prize. If it had succeeded, Poland would probably have recovered from Russia all that she had lost from the days of Wassilij to the days of Catherine. Russia would have shrunk back into the dimensions of a semi-Asiatic principality; and Poland, under the powerful tutelage of France, would have been the largest monarchy of Eastern Europe. And there was fair ground for hoping that, as soon as Napoleon himself had passed away, the nominal independence would become real, and Poland would resume the national position she had occupied in the middle ages. This day-dream was destined to a speedy disenchantment. The wager of battle to which the Poles had appealed was decided against their cause. The early November frost of the year 1812, which brought life and freedom to so many a European nation, was a death-blow to the hopes of Poland. Russia, attacked without even the semblance of a

pretext, and saved by a devotion that has no parallel in history, entered by as pure a right of conquest as any conqueror ever claimed into the land of the race that had plotted her extinction. The duchy of Warsaw, which had thrown in its lot with Napoleon, of course shared his ruin. Alexander became master, not only of the Russian provinces that Catherine had reclaimed, but of the true Poland which lies on this side of the Vistula, by the right which aggression always gives to those against whom it is directed. The Poles had trusted the hopes of their nationality to the arbitrament of the sword; and they had no right to murmur when by the sword it was doomed to perish.

But from the year 1815 the strength of the Polish cause begins. As a nation they had fallen by the justest retribution that was ever meted out to a foreign policy of incessant aggression, and an oppressive and barbarous domestic rule. But they had not lost their rights as men. They had a right to good government, and, at least, to some portion of the freedom they had lost. It was a right so obvious that it was not suffered by the plenipotentiaries at Vienna to be left to the spontaneous impulses of their ruler, but was embodied in one of the first of the provisions of the most important treaty which had been signed in Europe since the Treaty of Westphalia. It is a matter of notoriety that even a professed observance of those provisions did not outlast the life of Alexander. Since 1815 the misgovernment of Poland has not only been constant, but growing. And with the misgovernment the discontent has been growing in at least an equal ratio. Yet they ought not to have been a difficult race to rule. The very abuses to which

they had been for centuries exposed should have made the task of satisfying them easy. Austria has at least succeeded in satisfying the Gallicians to that extent that the contagion of insurrection, even in the present excitement, does not spread across the border. If she has not been able to conciliate the nobles, her liberal government of the peasantry has at all events secured her from any disaffection extensive enough to be dangerous. Even Prussia, whose rule is a caricature of administrative pedantry, has contrived to persuade her Polish subjects that there is no evil in her government on account of which it is worth their while to hazard the risk of a revolt. These Poles were not exacting in the matter of government. The traditions of their race did not furnish them with a standard dangerously high by which to measure the shortcomings of their actual rulers. This it is which makes the case against Russia so unanswerably strong. The very tyranny of the old Polish nobility, which would have made the lower classes very tolerant of their new masters, becomes the heaviest testimony against them. All the facts which make in favour of the Russia of the past tell with fatal force against the Russia of to-day. The darker the colours in which a just historian must paint the old Government of Poland, the deeper the brutality or the incompetence of that rule which has made even the old Government of Poland to be regretted.

The remarkable unanimity with which all the signatories of the Treaty of Vienna, with the single[1]

[1] [France, Austria, and Great Britain made joint representations to Russia as to the better government of Poland. Prussia not only did not join in these representations, but even assisted Russia against the Poles.]

ignominious exception of Prussia, have recognized the duty of interposing between Alexander II. and his oppressed subjects, opens the chance of a brighter future for the Poles than a few years ago any one would have dared to hope for them. But for the success of such interference it is absolutely necessary that those who guide the public opinion of Europe should steadily distinguish between attainable and visionary aims. An absolutely independent Poland is a mere chimera. There is no power that can set it up; and if set up—assuming that the Russian empire remains otherwise unbroken—there is no power that can maintain it. Recent events[1] have shown that the Polish character still makes united effort as impossible as it was in the days of the Confederations of Bar and Radom.[2] An independent Polish kingdom, even if it could be established, would never be more than the nursling of domineering embassies. The individual ambition which, even at this supreme crisis, could not be restrained from dividing the Polish arms, would give abundant facility to each ambassador to construct for himself a party in the interests of his own court. A country governed upon such a system is in no true sense a nation. It is a mere

[1] [At least two of the Polish leaders, Langiewicz and Mieroslawski, claimed the chief command as Dictators, and issued proclamations denouncing one another. At last Langiewicz fled to Austria, and the Central Revolutionary Committee proclaimed itself the Provisional Government.]

[2] [By the Dissident Confederation of Radom in 1767-68 religious toleration was, with Russian help, forced upon the Diet. Shortly after this the Catholic Confederation of Bar was formed in March, 1768, which, after plunging the country into civil war and anarchy brought about a war between Turkey and Russia, and finally produced the first partition of Poland in 1772.]

battlefield for foreign intrigue. An independent Poland will become a possibility when individual Polish leaders shall have shown that they have acquired the moral capacity for self-renunciation. But a nation which even in its deepest woe is still torn by factions is not likely to make head against the forces of the largest empire in the world.

The best that can be hoped for Poland is an improved condition under Russian rule. The conditions which are needed to reconcile the Poles to a Russian Sovereign are manifest enough, and do not seem very hard to be observed. The Poles have not only been oppressed, but insulted; and in their condition insult is harder to put up with than oppression. A nation which is under a foreign yoke is sensitive upon the subject of nationality. Like a decayed gentleman, it lays great stress upon points of form. It is constantly requiring its ancient lineage to be recognized, and is ever upon the watch for some fancied or real slight. If Russia would rule the Poles in peace, she must defer to a sensibility which neither coaxing nor severity will cure. All the substance of power may be exercised as well through Polish administrators as through Russian. The union between the two countries may for practical purposes be complete though every legal act and every kind of scholastic instruction be couched in the Polish language. That such an act of barbarism as the recent conscription will never be perpetrated again is an assurance that we may justly gather from the well-known character of Alexander II. If some such securities for freedom as were contained in the Charter of 1815 could be restored, there need be no fear, in the present state of European opinion, that they

will be set aside again; and it is not likely that any future Russian Government will renew the barren labour of attempting by force to "denationalize" the Poles. If such a result could be attained by the mediation which the European Powers have happily both the will and the right to offer, the insurrection may not have fulfilled all the hopes that its first outburst encouraged; but at least the lives that have been so freely offered up will not have been an idle sacrifice.

THE DANISH DUCHIES

PREFATORY NOTE

THE early history of the Slesvig-Holstein question will be found fully stated in the Essay. At the time it was written German troops were in the course of occupying Holstein. The dates of the events which led up to this occupation are here added :—

On March 30, 1863, the King of Denmark issued a decree (called in the Essay a Patent) modifying the constitution of his dominions. It was alleged by the Germans that the effect of this decree was to separate Holstein from, and incorporate Slesvig with Denmark, and that it was therefore an infringement of undertakings given by Denmark in 1852.

On July 18, and October 1, 1863, the German Diet demanded the withdrawal of the Patent, and decreed "Federal Execution" to enforce their demand. By the advice of the English Government the Patent was withdrawn on December 4.

On November 15, 1863, King Frederick VII. of Denmark died, and questions were raised as to the succession to the Duchies.

On November 18, 1863, a Constitution for Slesvig and Denmark (not Holstein) was enacted by the Danish Legislature.

On December 7, 1863, the German Diet resolved (notwithstanding the withdrawal of the Patent of March, 1863) that "Federal Execution" should issue as previously decreed, *i.e.* that Holstein should be occupied and administered by Federal Commissioners, supported by Federal forces.

On December 31, 1863, Rendsburg, the capital of Holstein, was evacuated by the Danes (acting on English advice) and occupied by Saxon troops under General Hake the Federal Commander-in-Chief.

The essay appeared in January, 1864. To it were prefixed the following authorities :—

1. Correspondence respecting the Affairs of the Duchies of Schleswig and Holstein. Presented to Parliament. London. 1860–62.

2. Denmark and Germany since 1815. By C. H. Gosch. London. 1861.

3. Urkundenbuch zur Geschichte der Holstein-Lauenburgischen Angelegenheit am Deutschen Bunde in den Jahren, 1851 bis 1858. Frankfort-am-Main, 1858.

4. Grund-gesetz für die gemeinschaftlichen Angelegenheiten des Königreichs Dänemark und des Herzogthums Schleswig. Kopenhagen. 1863.

5. Debate in the Prussian Chamber. Kölnische Zeitung, December 2 and 3. 1863.

6. A Residence in Jutland, the Danish Isles, and Copenhagen, By Horace Marryat. 2 Vols. London. 1860.

THE DANISH DUCHIES

In the diplomatic parlance of the day, the monarchy of Denmark consists of a kingdom and of three duchies. The kingdom is made up of the islands and of the Northern portion of the Cimbrian peninsula, called Jutland. The Central portion of that peninsula is the Duchy of Slesvig; the Southern portion of it is the Duchy of Holstein. On the south-eastern frontier of Holstein lies the little Duchy of Lauenburg. All these territories belong equally to the Danish Crown. But they are held on very different titles. Jutland and the islands have always formed part of Denmark proper; Slesvig has been from the most ancient times either united to Denmark, or a fief held under the King of Denmark; while Holstein and Lauenburg have always been fiefs of the Holy Roman Empire. Thus the boundary between Slesvig and Holstein, which is formed by the river Eyder, was also the boundary between the feudal jurisdictions of the German Emperor and the Danish King. In the course of the centuries during which the modern map of Europe was in process of formation, these two territories, like many others in their neighbourhood, underwent numerous political and territorial changes. Only at distant intervals, and for brief periods, were they governed in their entirety, as

they are now, by the King of Denmark. Their more usual condition was that they were split up into various divisions, under various rulers. The distribution which prevailed in the main in more recent times, that is to say during the sixteenth and seventeenth centuries, was that the King of Denmark took one bit of each of the two Duchies; the Duke of Holstein-Gottorp took another; and the Ducal family of Sonderborg had a small remnant out of each Duchy to divide among themselves. In course of time these subdivisions came to an end. Throughout the whole of Europe, the ambition of rulers, and the common sense of their subjects, has tended to consolidate into large masses the minute political atoms into which the various territories had been split up under the feudal system. In Denmark this wholesome tendency began to make itself visible in the middle of the seventeenth century; and during the latter half of that century the policy of the Kings of Denmark was mainly directed to the object of getting back the portions of Slesvig which were held by other lines. At last, after many vicissitudes, King Frederick IV.[1] succeeded, in 1713, in occupying the Gottorp portion of Slesvig; and united it, as soon as peace was restored, under the guarantee of England, to the Danish Crown.[2] The separated part of Holstein was not secured for another half century. However, when the Holstein-Gottorps had ascended the throne of Russia, this petty strip of territory ceased

[1] [1671–1730. King of Norway and Denmark from 1699.]

[2] The English guarantee (July, 1720) applied to the Danish possession of the whole of Slesvig, and was couched in the strongest terms "against all and every one who may attempt to disturb it directly or indirectly."

to be an engrossing object of ambition to them. In 1773, Paul,[1] then just of age, renounced all rights of the House of Holstein-Gottorp upon any part of Slesvig; and also ceded all his possessions in Holstein to the Danish Crown. The smaller shares in the two Duchies belonging to other claimants were in course of time bought up. Thus in 1779 the King of Denmark became the ruler of those parts of Slesvig and of Holstein which had been granted away, and from that time they remained united to the monarchy. Holstein, however, continued to retain its feudal relation to the Emperor of Germany. It remained a fief of the Holy Roman Empire till that empire was finally broken up in 1806. Lauenburg was ceded to the monarchy under a totally different title. When peace came after the Great War, and those who had languished long under the oppression of Napoleon came together to redistribute the spoils they had won back from him, it was not likely that Denmark, who had joined him, would meet with much mercy from his victims. They were content, however, with stripping her of Norway. By way of compensation, the petty Duchy of Lauenburg, which lies upon the south-eastern frontier of Holstein, was added to the Danish territory. At the same time these two Duchies of Holstein and Lauenburg, as they had formed part of the old German Empire, were included in the new Germanic Confederation. In virtue of these possessions, the King of Denmark therefore became a member of the Diet.[2] If Denmark could have looked into the

[1] [1754–1801. Became Tsar on the death of his mother, Catherine, in 1796.]

[2] [The Diet consisted of 17 members, afterwards increased,

future, and have foreseen the perils that lay hidden under that seemingly formal stipulation, she would have prayed the Congress of Vienna rather to strip her of any territory than to admit her into that fatal partnership.

This settlement might have lasted without disturbance for an indefinite time, if the tempers of the various nations had remained as they were in 1815. All the arrangements of that year were negotiated upon the principle that France and Russia were the only two countries from whose aggressive spirit the peace of Europe had anything to fear. The old traditions of Austria, and the heterogeneous character of her empire, were thought to be a sufficient security for her pacific disposition; nor can it be said that that expectation has been disappointed. Prussia and the smaller German Powers had given to the minds of politicians of that date a different and a more humiliating guarantee. Their conduct during the Great War had shown so slender an aptitude for self-defence, that the idea of their attempting conquest was too absurd to be entertained. Nor had their patriotism been of that excitable kind which disposes a nation to incur risk for the sake of glory. They had allowed themselves to be tossed from one ruler to another, as the fancy of their conqueror might decide; they had submitted to see a horde of foreign officials stifling their trade in order to forward his designs, and loading them with taxes to keep up the machinery for their oppression; they had suffered their sons to be

representing the Governments included in the Confederation. It sat at Frankfurt and had nominally considerable powers, which in general were ineffective owing to the rivalry of Austria and Prussia.

dragged into a distant land to fight his wars; and all these insults had not spurred them into any serious resistance, until bolder races had broken his power, and had made patriotism comparatively safe. The masses, in 1813, fought well: but it was only after Russia had made their task easy; and it was rather against the will than under the guidance of their natural leaders. It was pardonable, therefore, in the Vienna Plenipotentiaries, if it never occurred to them to fear that the ambition of the smaller German States would endanger the balance of power which they were adjusting. But contempt is said by the Indian proverb to pierce the shell of the tortoise; and the ignominious part which Germany played during the Great War had the effect of awakening a national spirit which had never existed before. If it had been directed by moderate and practical men, this movement would have been of great service not only to Germany but to Europe. A United Germany, strong enough to resist attack, either upon her Eastern or her Western frontier, would have been, in the opinion of the statesmen of forty years ago, the surest guarantee of European peace. No one would have ventured to predict that the ambition of a United Germany might be as dangerous to that peace as the ambition of France or Russia. Unhappily this movement for national unity did not fall into the hands of the more sober part of the community. It was closely linked with the secret propaganda of those wild democratic theories which the Revolution had left as its legacy to Europe. The democratic and the national party grew up side by side in an alliance so close that they could barely be distinguished from each other. In such companionship it was

not likely that the designs of the national party would be marked by a spirit of moderation, or a respect for the rights of others. Moderation, especially in the matter of territory, has never been characteristic of democracy. Wherever it has had free play, in the ancient world or the modern, in the old hemisphere or the new, a thirst for empire, and a readiness for aggressive war, has always marked it. This tendency impressed itself deeply upon the national party in Germany. They had enough to do without meddling with their neighbours. The reconciliation of conflicting interests, which is indispensable for such a consolidation as shall make Germany strong in the face of real danger, would have taxed all their sagacity. The attainment of that constitutional liberty which is the truest foundation of a nation's strength, would have given abundant employment to their enthusiasm. But they were not satisfied with these modest objects of desire. After the fashion of many other nations during the course of the last half century, they fed their imaginations upon historical illusions. They studied the records of the past to find material for dreams of the future. They dwelt upon the thought of what a German Emperor once had been; and they sighed for a mighty German Empire based upon pure democratic principles, that should again give law to Europe.

Of course for the erection of such an empire a powerful fleet was a matter of primary necessity. For the maritime interests of a pacific Germany[1] —such a Germany as the statesmen of the last

[1] [It will be noticed that here, as in many other passages in the Essay, Germany means the States comprised in the Germanic Confederation, including the German provinces of Austria.]

generation pictured to themselves—a very moderate protection would suffice. Her external commerce is small; and the only enemies she has much cause to fear are enemies that would attack her by land. But for a nation claiming to exercise a powerful influence upon the affairs of the world, a maritime force is indispensable. Unfortunately in Germany the elements out of which a maritime power is made are lamentably deficient. During the most excited months of 1848, an Austrian nobleman of eminence met a number of sympathizing compatriots at a dinner at some tavern in London; and in the course of his speech he took occasion, among other things, to congratulate them upon the maritime power of their country, for, as he strikingly observed, "they had got a splendid naval force, only they had not yet got the ships." The national party have always been anxious to remedy this solitary but unfortunate deficiency. The best evidence of the importance which they attach to this point is the strange effort which has been made in recent years to collect money by private subscriptions to build a fleet for Germany.[1] It is needless to say that this curious exhibition of patriotic zeal has not been brilliantly successful. But it has been carried out with great industry; and there have been few towns in Germany (except where the Government has interfered) in which a collection has not been made in some form or other for the German fleet. As a specimen of the mode in which the canvass has been conducted, and of the strange sort of people who have been induced

[1] [The movement began at Hamburg in May, 1848, in consequence of the close blockade of the Baltic Ports, established by the Danish Fleet in that year.]

to join in it, we may take the case of Dr. Strauss, who has published during the present year a vigorous lecture directed against "historical" Christianity, which he recommends to his countrymen by telling them that it was delivered at Heilbronn, a small town in Würtemberg, "to raise money for the German fleet." Nothing, of course, would be more unwarrantable than to utter a word of censure against any kind of expenditure which an independent power may think fit to make upon any kind of armament it pleases. But this peculiar zeal for a naval power indicates the objects upon which the National Verein[1] is bent. And it is from the National Verein that the impulse proceeds which is driving the German Cabinets into war.

The truth is that the existence of Denmark as an independent power is almost as fatal to the creation of a German marine as that capital deficiency of ships to which we have already referred. In proportion to its size, the German Confederation is singularly destitute of sea-board. What sea-board it has is ill-furnished with harbours; and what harbours it possesses are, in a great measure, commanded by the territories of other Powers. Setting aside Trieste—which, under the new-born doctrine of nationalities, is not likely to remain German property very long—Germany only possesses the coast of Prussia and Mecklenburg upon the Baltic, and, besides Hamburg, the coast of Hanover and Oldenburg upon the North Sea.

[1] [One result of the Italian War of 1859 was to rouse the national feeling in Germany in favour of German unity as a means to German liberty. The National Verein was an organization formed at that time by a number of leading German politicians to give effect to the national desire.]

The Baltic harbours, such as they are, are not of much use for operations upon the open sea if Denmark should be hostile; and except Bremerhafen, the harbours on the North Sea are commanded either by Denmark or Holland. On the other hand, if the Duchy of Slesvig and the Duchy of Holstein could be fairly got into German hands, and made subservient to German interests, the whole state of the case would be changed. The monarchy of Denmark would be practically broken up, and would become a mere dependency of Germany; and a set of admirable harbours, both upon the Baltic and the North Sea, would be placed at the disposal of the German fleet.

The bearing of German aspirations on the present dispute may, in short, be summed up thus: the National party desires above all things that Germany should be a great naval power; the dismemberment of Denmark is essential to that end; and we find, actually, that the National party are those who are urging on with the greatest vehemence the dismemberment of Denmark. Upon these grounds alone it would not be uncharitable to conclude that the Germans were actuated in the present dispute by very much the same motives as that which actuated Ahab in his celebrated controversy with Naboth. But this imputation, disgraceful as it is, is not matter of surmise; it has been openly admitted—or, rather, loudly proclaimed—again and again, that the grievances of the Holsteiners and the Slesvigers were only urged to give Germany an excuse for evicting Denmark out of the Duchies. To take but one testimony out of many, we will quote from the report of the Committee of the House of Representatives at Berlin,

in 1860. "Without these Duchies," say the Committee, "an effectual protection of the coasts of Germany and of the North Sea is impossible; and the whole of Northern Germany remains open to a hostile attack as long as they belong to a Power inimical to Germany." A more simply formulated reason for stealing your neighbour's property was never, perhaps, before printed in a State paper. The speakers in the recent debate (Dec. 1) in the Prussian Chamber, have not been less plain-spoken. A Committee was appointed to consider the claims of the Pretender, Prince Frederick;[1] and the reporter of the Committee, von Twesten, makes the following candid remark:—

"The Duchies are for Germany and Prussia a strong bulwark under all circumstances against any attack coming from the North. This as well as their maritime position are advantages which Prussia can never relinquish."

Dr. Löwe, who is a conspicuous man in the National Verein, speaks with even less affectation of concealment:—

"What interest has Prussia in the maintenance of the London Protocol?[2] Since the time of the Great Elector, Prussian policy has always been rightly directed towards gaining the North German Peninsula for Germany."

The extract is curious: both as an admirable specimen of the morality current among the

[1] [Frederick, Duke of Augustenburg; see later.]

[2] [*I.e.* the Treaty of 1852, whereby the succession to the Danish Throne was settled by the Powers, including Prussia on the present line of sovereigns, see p. 136.]

German patriots of the present day, and also for the calm audacity with which the new geographical designation of North German Peninsula has been invented. But it hardly needed these frank confessions to enlighten us upon the subject. No one who has followed the Schleswig-Holstein controversy carefully and impartially can entertain even a momentary doubt that he is reading over again, in a more tedious form, the fable of the Wolf and the Lamb. Without such a key to the conduct of Germany, the whole correspondence is simply unintelligible. The oppression alleged, even if it be genuine, is so slight in itself—it is so insignificant in comparison to that practised by the great German Powers towards subject nationalities of their own—the claims made are so unreasonable—the determination on the part of Germany to disintegrate the Danish monarchy is so transparent—that, unless some ambitious motive were at the bottom, the whole transaction would be one of the mysteries of history.

The desire of the German National party to obtain a hold over Slesvig first became apparent after the great political disturbances of the year 1830. During the eighteen years that intervened between the revolutionary period of 1830 and the revolutionary period of 1848, the agitation was carried on with great vigour. A new doctrine was elaborated, which is known by the name of the Schleswig-Holstein theory. According to this theory, Slesvig and Holstein "had been united for four hundred years under the King-Duke, and were independent of the rule of Denmark Proper.' Thus, Holstein being part of Germany, and Slesvig

being indissolubly united to Holstein, it followed that Schleswig-Holstein was part of the Great Fatherland. It was true that the majority of Slesvigers spoke Danish; but that was their misfortune, not their fault. They ought to be taught to revert to their native German as soon as possible; and the sooner the intrusive Danish Government could be ejected, by any contrivance, the better.

It is needless to dwell upon the curious character of the "indissoluble union," which appears to have been an union all upon one side. The propounders of it argued, with great confidence, that because Holstein was German, therefore Slesvig, which was indissolubly united to it, must be German too. It never seems to have occurred to them that the argument was capable of being turned round. If Slesvig is Danish—as, by its history and the original language of the majority of its inhabitants, it certainly is—it follows, according to the doctrine of indissoluble union, that Holstein must be Danish too. However, the allegations upon which the theory is based are as worthless as the logic by which it is constructed. The best proof that no amount of indissoluble union has made Slesvig into a German duchy is, that from the thirteenth century it has been held, according to all the formalities of the feudal law, as a Danish fief.[1] The Lord Paramount of Slesvig was always the King of Denmark, while the Lord Paramount of Holstein was the German Emperor; and, accordingly, the Eyder has

[1] During the latter half of the seventeenth century, a large portion of Slesvig was occasionally held free from feudal service by the House of Gottorp—the ancestors of the Emperor of Russia. This quasi-independent sovereignty was extorted by force in 1658, and was effaced by force in 1713.

always—at least, since the days of Conrad II,[1]—been accepted as the northern limit of the Holy Roman Empire. It is perfectly true that there are, and have been for many centuries, a considerable number of Germans north of that river. The line which divides races asunder seldom remains as immovable as the line which divides their Governments. In the lapse of centuries, the wealthier and more cultivated race gradually overstepped the border. German emigrants from Holstein came over and settled in Slesvig; and when, by the accidents of succession, dukes of German blood inherited the duchy, they brought with them representatives of powerful German families, who received grants of land. Thus it came to pass that a considerable minority of the population of Slesvig were Germans by race and blood, and as they were the wealthier class, they left the mark of their nationality upon the civil and ecclesiastical institutions of their adopted land. Under the guidance of German judges, German maxims of law crept into the old Jutish law-book. Under the rule of German bishops German services were said and German sermons were preached in many a parish where only Danish or Frisian was understood by the people. Out of this political prevalence of the German minority sprang a certain amount of political connexion between the two Duchies. The Germans of Slesvig naturally leant upon their more powerful brethren on the other side of the Eyder, and associated themselves to Holstein as closely as they could, both in social intercourse and in certain administrative arrangements. The University of Kiel was commonly used by both

[1] [Emperor of Germany 1027-1039.]

Duchies. In the sixteenth century the two Diets even met in one place, and continued to do so until their extinction in 1711: and since 1648 the purely local affairs of the two Duchies, or at least of such part of them as was in the hands of the King of Denmark, were managed by a distinct department, entirely, or almost entirely, apart from the affairs of Denmark Proper. In 1834 a common court of appeal was given to them.

When the Germans say, therefore, that a political union has existed between Slesvig and Holstein for four centuries, the assertion scarcely contains even the smallest possible infusion of truth. There has never been anything that could be called a definitive union: though, on the other hand, there has never been an absolute, permanent, and complete separation. The occasional combination, such as it was, was fitful and desultory, and depending evidently more upon the moment's convenience than upon any definite policy. There is no trace of any customary right possessed by the Duchies of forming one political whole. This is sufficiently demonstrated by the fact that it was very seldom that either of them could keep its own unity—let alone any right to be united with its neighbour. It would be endless to describe the various combinations into which they were cut and carved at various periods of their history. Sometimes they were under two princes, sometimes under three, at one time under as many as nine: sometimes they were united with the Danish Crown, and sometimes they were separated from it. Sometimes one of them was united and the other was not; or bits of each were united to it, while other bits were severed from it. Until the last alienated morsel relapsed to the

Danish monarchy in 1779, there were only two periods in the course of their long history during which they were united under one prince. One of these periods lasted for fifty-five years, the other lasted for twenty-one years; and the most recent of them was more than three centuries ago. Since then they have never been combined independently of the kingdom of Denmark Proper. Before 1779 they were not (with those two exceptions) ever combined at all. Since 1779, until this controversy began they were under the absolute government of the King of Denmark, and had no independent rights at all. Anything less like "a union of four hundred years, independently of Denmark Proper"[1] cannot well be conceived.

If the history of actual practice cannot be made to yield much evidence in favour of this indissoluble union theory, the "charters" that have been invoked in aid are a still more lamentable failure. This part of the German case is so curiously weak, that it is often difficult to believe that any man having a reputation for common sense to lose should have seriously advanced it. There are two points which have to be proved; 1st, that the two Duchies are by right independent of Denmark; 2ndly, that they are indissolubly united together. In behalf of each of these propositions a charter is invoked—in favour of the first the "Constitution" of King Valdemar,[2] and in favour of the second the "Privileges" of King Christian I.[3] There are many serious difficulties in the way of discussing King Valdemar's

[1] Mr. Ward, Parl. Corr. 1863, p. 207. Count Bernstorff, Parl. Corr. 1863, p. 197.

[2] [1326–1330.]

[3] [1425–1481. King of Denmark 1449 and of Norway 1450.]

Constitution: but the first of those difficulties is as conclusive as the first out of the twenty that prevented the Maire of Ivry from delivering the keys of the town to Henri Quatre. The King, when he was informed that the first reason was that there were no keys, said that in that case it was unnecessary to go into the other nineteen: and so our readers will perhaps spare us the necessity for stating our other reasons for not discussing Valdemar's Constitution, when we inform them that it does not exist. There is no such document. High and low, in town and tower, in library and record-chest, patriotic German professors have hunted for it with the indefatigable pertinacity which distinguishes their race: but the provoking parchment will not be discovered. Well then, it may be asked, how did any one contrive to evolve the idea of its existence? The answer to this reasonable question will show on what a microscopic foundation a German Professor can erect a theory of towering proportions. There is in a Holstein convent a certain parchment, without date of place or seal, purporting to be a letter written in June, 1448, by a certain Count of Oldenburg, who subsequently was elected King of Denmark. In this letter, written apparently for the purpose of obtaining his election to the Crown, the Count says that he has been shown a number of old documents, one of which contains a Latin passage signed by King Valdemar III. and his council, and dating from A.D. 1326. The Latin passage runs as follows: "*Item Ducatus Sunderjutiæ regno et coronæ non unietur nec annectetur ita quod unus sit dominus utriusque.*"[1]

[1] "Also that the Duchy of South Jutland (Slesvig) shall not be united with or annexed to the crown and kingdom, in such a manner that there shall be one lord to both."

Upon this foundation rests what the German writers call "The Valdemarian Constitution." It may be briefly dismissed. The Valdemar who sat on the Danish throne in 1326 was a boy of twelve years old in the first place: and in the second place, he was a usurper who had just been put upon it by an adventurous uncle. Four years later he was driven out again, and the rightful sovereign returned. King Valdemar therefore was not exactly the kind of man—or, rather boy—who would have authority to make a Constitution that was to bind the Danish monarchy for five centuries. It is further remarkable that no other allusion is made to the existence of this curious promise, even in the State papers of the time in which the mention of it would most naturally find a place. The only evidence of it is that, more than a hundred years later, a Count of Oldenburg, in a letter whose genuineness is gravely doubted, makes a statement which is wholly unattested by any other person, that a document had been shown to him, of whose authenticity we have no proof, purporting to record that the boy-usurper made this promise at the very moment of his usurpation. Granting this heap of assumptions, what does the promise really undertake? It undertakes—not that Denmark and Slesvig shall never be administratively or legislatively united—*but that they shall never be ruled by the same king.* In other words, it promises that an arrangement which, in regard to parts of Slesvig, has existed for four hundred years, and in regard to the whole of it, for a century and a half, which has been sanctioned by the Congress of Vienna, and has never been called in question by the Slesvigers, or the Germans themselves, shall never

take effect.' King Valdemar comes somewhat late into the field. And to a document such as this, not only Germans, who merely want a rag of argument to cover the nakedness of their ambition, but even Englishmen, can be found to appeal as to an ancient and valid charter.

So much for Slesvig's "independence of Denmark." The other point in support of which the Germans appealed to ancient documents was "the indissoluble union of the two Duchies." Compared to the Constitution of King Valdemar, the document which they invoke for this second purpose is almost respectable. But though it lacks the elements of absurdity which belonged to the last case, its real value is scarcely greater. It consists of a passage in a Charter granted by King Christian I. in the year A.D. 1460. The passage has been much insisted on in Germany, and in fact has been converted into a kind of motto for the "sympathizers," who, after the fashion of such sentimentalists, unite gushing emotions with very practical views upon the subject of territorial acquisition. The passage is as follows:

"That the lands shall remain for ever together undivided."[1]

[1] The meaning of the original has been the subject of much contest. The words in the Low German of the period are—"*Wy lauen dat se bliven ewich tosamende ungedelt.*" The two last words obviously open a wide field for controversy. They may mean that Slesvig and Holstein shall always remain together, and never be divided from each other. Or they may mean that both Slesvig and Holstein shall remain each of them undivided; that is to say, that they shall each of them be free from those ulterior subdivisions which in the Middle Ages were so common and so grievous a curse. This last interpretation is rendered probable by the fact that, before Christian's time (and indeed after it), the Duchies were the victims of constant subdivision. The same view is also

Assuming that this promise meant that Slesvig and Holstein were never to be parted—for every step in the vexed question has been made a battle-field—the question arises, what Christian meant by "never parting" them. We can discover this in some degree from the rest of the Charter out of which this clause is taken. It did *not* mean that the two Duchies should have the same Diet: for the Charter provides one Diet for Holstein, and another for Slesvig. It did *not* mean that they were to have the same tribunals or the same laws: for the Charter provides a Jutish code of law for Slesvig, and a German code of law for Holstein. It did *not* mean that they were to have the same executive administration: for the Charter provides that Slesvig should be administered by a Drost, who was to be a Slesviger, and Holstein by a Marshal, who was to

corroborated by the rest of the clause from which this isolated passage is extracted. It runs thus:—

"These lands aforesaid we promise to do our best to keep in good peace, and that they shall remain for ever together (or both of them) undivided. Therefore shall nobody feud upon the other, but each shall be content with what is right. And in order that such peace may be kept so much the better, we shall and will have our bailiffs to belong to the natives of such lands, and give them our castles and fiefs, and to no one else."

Keeping the peace, therefore, seems to have been the object o the clause. The promise not to divide the lands was merely a portion of the promise to prevent internal feuds. It is obvious that infinite subdivision would endanger the peace, and promote disputes. On the other hand, the division from each other of the two lands which lie on either shore of the Eyder would not in any perceptible degree tend to endanger the peace. It is probable, therefore, that Christian was referring not to the separation of the two lands from each other, but to the internal subdivision of each. The divisibility of fiefs—that is to say, of states—was a matter upon which subjects were always very sensitive, as indeed the Germans ought to know better than most people.

be a Holsteiner. If, then, this "indissoluble union guaranteed by ancient charters" was not a legislative, nor a judicial, nor an administrative union—if it involved neither a common Diet, nor common law courts, nor a common government, what was it? It could only have been a dynastic union; for nothing else remains. Christian I. promised only that he would retain the two Duchies under his own rule, and that his successors would do the same. During the three centuries which succeeded its promulgation the promise was, as we have seen, but indifferently kept. But never, since the day when King Christian signed it, has it been better kept than during the last fifty years. The Kings of Denmark since 1779 have never shown the slightest inclination to break the dynastic tie which binds Slesvig to Holstein. If the suggestion has been made, it has not come from them. The present Federal Execution[1] undoubtedly tends to violate the undertaking "that the lands shall remain for ever together undivided;" but no other measure that has ever been taken for the last hundred years can be charged with such a tendency.

But after all, an argument upon a charter of King Christian I., in 1460, which has been recognized by no subsequent legislation, can only be justified on the principle of arguing with a fool according to his folly. No one who recollects the contrast between what Europe was then and is now, can be blind to the absurdity of disinterring an obsolete proclamation from its tomb beneath the dust of centuries, and attempting to found on it a reversal of everything that modern legislation or modern diplomacy has sanctioned. In England, at that time, the last

[1] [See Prefatory Note.]

of the Barons was raising and pulling down thrones at his pleasure; the English King still lived who had worn the crown of France; France, though then free at last, contained neither Brittany, nor Picardy, nor Calais, nor Lorraine, nor Burgundy, nor Provence; the Moor still ruled in Spain; Holland was still a fief of the Holy Roman Empire; and the Russian Czars had but just emerged from the dominion of the successor of Genghis Khan. Since that time revolution after revolution has swept over Europe. War has succeeded upon war; boundaries, institutions, religions have been changed in almost every country; old landmarks have been twice overthrown by desolating wars; and twice Congresses have assembled to reconstruct the map of a great part of Europe, and to grant a new title to its rulers. Denmark has not been exempt from the common law of change. Its boundaries have been repeatedly remodelled; its territory has been laid waste more than once by war; its religion has been revolutionized; its institutions, its laws, and the arrangement of its internal administration, have been altered again and again. The very Charter of Christian I., on which these theorists rely, has been abandoned in all its most essential points. It provides that the monarchy shall be elective: the monarchy is and has long been hereditary. It provides that the Duchies shall be governed by one set of officers: they have been for many generations governed by officers of a totally different kind. It fixes the places at which the Diets shall meet: they have not met there for centuries. It secures the highest position in the administration of each Duchy to the Bishop: the power of the Bishops has utterly passed away. It provides that none but Slesvigers

shall hold high office in Slesvig: whereas, until the last fifteen years, those offices were generally occupied by Holsteiners and Germans of every kind. And yet it is to this antiquated and forgotten document, of which there is scarcely a provision which later usage has not set aside, that these theorists, who play the part of jackals to German ambition, have gone to find, in a garbled extract from an ambiguous clause, a justification for unprovoked aggression, and a fair cause for bringing down upon Europe a renewal of the miseries of war.

Difficulties of this kind, however, were a matter of small importance to those who wanted, not an argument but a catch-word. It was easy enough to talk glibly about the Constitution of Valdemar, as if such a document really existed, and to reiterate the scrap out of King Christian's "Privileges," as though it sanctioned the arrangements for which the Germans were pressing. Undismayed by any flaws in their case, the National party set to work to agitate. They invented a Schleswig-Holstein flag, and composed a Schleswig-Holstein song, and accumulated a Schleswig-Holstein literature, which, if it has utterly bewildered the understandings of foreigners, fully answered its purpose of misleading the mass of ordinary German readers. The propaganda of anti-Danish sentiments among the German population in Holstein and the southern part of Slesvig was carried on with great success. It naturally would not be a very difficult matter to bring about this result. The Germans flatter themselves that they are a very superior people to the Danes, especially in the matter of language; and the political subordination, which was the necessary

consequence of numerical inferiority, was inevitably galling. Their feelings were much those with which the French in Canada still look upon their English rulers. If no external cause was at hand to excite it, such a feeling might lie dormant for a very long time; but fanned by an unscrupulous and indefatigable agitation, it was easily kindled into a flame. With such materials the National party worked away, well supported from Germany, and scarcely at all counteracted by the easy-going Prince who sat on the throne of Denmark, until the eventful year 1848 arrived.

The courageous student, who is steering his way painfully through the intricacies of this question, may well breathe a sigh of relief when this important landmark heaves in sight. It is a halfway house at which he may securely rest, and lay down the burden of historical facts, which he has been forced hitherto to carry along with him. From this point the controversy assumes a totally different shape. Every element of importance in it is new; every old consideration, which up to this time was essential, becomes comparatively worthless. From this time forth we shall hear nothing more of ancient charters and imaginary constitutions; we shall lose sight entirely of the "indissoluble union." Instead, we shall be compelled to rummage the less attractive, but at all events more reliable lore of modern diplomacy. Before 1848 every argument was historical; after 1848 every argument is diplomatic. The only documents with which we shall have henceforth to do are despatches, and protocols, and treaties. It is only a revolution whose sharp edge can draw this deep dividing line between the old and the new. And

the Danish Duchies, like the greater part of their neighbours, had their revolution in 1848.

In the first month of that fateful year, before the revolution at Paris had given the signal of disturbance to the world, the King of Denmark died. His successor—the King whose recent loss we have such good cause to lament[1]—was a man of liberal impulses, and resolved to change his despotic rule for a more constitutional form of government. In order to give his subjects a voice in the management of the general affairs of the country, he resolved to create a representative body common to the whole kingdom. The proportions in which he proposed to assign the rights of election to this assembly were not only fair, but extravagantly favourable, to the Duchies of Slesvig and Holstein: for, though the Duchies only contain three inhabitants to every five contained in the "kingdom" —*i.e.* in Denmark proper—the King proposed that the Duchies on the one side, and the kingdom on the other, should return an equal number of members. Any one who had merely the interests of the Duchies at heart would have accepted the proposal eagerly. But, of course, it did not suit the views of the German party. Its effect would have been to link the Duchies more closely still to the crown of Denmark—to extinguish all disaffection in Slesvig—and to dash for ever the magnificent dream of a German fleet riding in what once were Danish harbours. Accordingly they proceeded without delay to organize a resistance. If they had been left to their own resources, the resistance would probably not have been either

[1] [Frederic VII., born 1808. He became King 1848, and died November 15, 1863.]

very formidable or very prolonged. Unfortunately, at this particular crisis came the Revolution of February. Within three weeks from the receipt of the intelligence that Louis Philippe had been ignominiously driven from his capital, all Germany was in a flame. In Carlsruhe, Munich, Vienna, Dresden, Berlin, the mob had risen against the Sovereigns, and the Sovereigns had pusillanimously consented to do whatever they were bid. With the treachery which is the twin sister of cowardice, most of them took the earliest opportunity of revoking in security the concessions to which in their terror they had sworn. But in the interval of their abasement the National party was supreme; and both kings and demagogues had equally cogent reasons for desiring to foment disturbances in Denmark. The Kings were only too glad of a safe vent for the madness of their subjects; the demagogues burned for a chance of investing the Revolution with the halo of military success.

As soon as the leaders in Holstein were well assured of the support of Germany, they lost no time in acting. A large and tumultuous meeting was assembled at Rendsburg, in which a series of requisitions were addressed to the King, containing among other things a demand that Slesvig should be ceded to Germany; and five of the chief agitators were sent off to Copenhagen to present this modest petition to the King. It need hardly be said that the suggestion was politely but firmly declined. But the Holsteiners were in no mood to wait for an answer. Three days before that answer arrived they proclaimed a Provisional Government at Kiel; and a few hours afterwards, by a sudden and bold attack, they surprised the important fortress of

Rendsburg. Four days later a Prussian army set out to march to their assistance; and within less than a month after the meeting at Rendsburg, Slesvig was occupied by upwards of 20,000 German troops. Proceedings so well concerted and so rapid took the Danes entirely by surprise. They had dreamed of no danger, and had made no preparations against attack. Even if they had foreseen it, it might have been difficult for them to ward off successfully what was in effect not a rebellion in Holstein, but an invasion on the part of Germany. The result, however, of the first onset was that the Danes were defeated with great loss at the town of Slesvig; and by the beginning of May they were forced to evacuate the Duchy altogether.[1]

[1] The Germans have devised one or two curious theories concerning this rebellion. One of them is that adopted by Baron Schleinitz, that there was in reality no rebellion at all, but that the Germans "never ignored or even questioned the sacred rights of their legitimate Prince, even at the height of the contest" which they were carrying on against his Government. The distinction is ingenious; but the countrymen of Pym and Hampden have a right to complain that it is a plagiarism. Another theory is that the Holsteiners only revolted in order to guard against the effects of a "Copenhagen revolution," which had deprived the King of his free agency. The "Copenhagen revolution" was a very mild affair. It was merely a petition presented by the municipal body of Copenhagen to the King that he would change his Ministers. The proceedings were perfectly peaceable; and when the petitioners found that the Ministers had already resigned, they dispersed without tumult. The Danes indignantly deny that it was a revolution, and cite in proof the fact that not a single pane of glass was broken on the occasion. There was certainly nothing in the subsequent demeanour of the King to indicate that he regretted in the least degree the change of Ministers he was then induced to make. But the most material difficulties in the way of this theory are the dates. The dates were as follows:—The meeting at Rendsburg, demanding that Slesvig should be ceded to Germany, took place on the 18th of March. The news of the change of Ministry at

We need hardly follow the vicissitudes of the war. It lasted with various fortune and occasional respite till the autumn of 1850. But Prussia did not long continue to pursue the rash and lawless course upon which she had entered under the dictation of the rioters of Berlin. Menaces from St. Petersburg forced her to leave her insurgent allies in the lurch, and to withdraw her troops from Denmark before they had been six weeks in the field; and the pressure of the other great Powers compelled her, after infinite negotiation, to conclude a peace with the Danes in June, 1850. This peace had but one condition: in every other respect it was peace, pure and simple. That one condition was, that Denmark should invoke the German Confederation in order to pacify Holstein. This promise to leave Holstein to Germany to pacify was the starting-point of all future complications. As far as Slesvig was concerned, Denmark had done this easily for herself. A brilliant victory had driven the revolutionists out of it, with the exception of a small corner that could only be attacked by violating the frontier of Holstein. But the pacification of Holstein, which Denmark was not allowed to do for herself, was a much more serious matter. At first, Denmark appealed to Prussia, which for this purpose represented the Confederation; but

Copenhagen, which took place on the 21st, did not reach Holstein till the 23rd of March. On the same day the Provisional Government was declared at Kiel. *The next morning*, quite early, the garrison of Rendsburg were surprised and overpowered by Holsteiners who had assembled from various parts of the country; and that same day (the 24th) the King of Prussia, at Berlin, wrote to the Duke of Augustenburg promising military support. Surely it is idle to pretend that all these various movements were caused by nothing else than the news of the change of Ministry at Copenhagen.

Prussia, unwilling to consent, and afraid to refuse, fought off for some time upon various pretexts. At last, Austria interfered on account of this and other matters: the celebrated protocol of Olmütz[1] was signed; and, under its provisions, order was at last restored in Holstein by the appearance in that Duchy of a Prussian and Austrian army, in February, 1851. But these powerful allies, having once established themselves in Holstein, behaved towards the Danes, whom they came to assist, much in the same spirit in which their countrymen, Hengist and Horsa, are said to have behaved to Vortigern. They entirely declined to move out of it again, except for a consideration. They had come professedly to pacify the Duchy; but their idea of pacification apparently included the retention of it in their own possession until they had extorted from the lawful owner some concession in the nature of a ransom. This ransom, in the present case, was chiefly a guarantee against the incorporation of Slesvig and Denmark. Such a demand, put forward as a condition of doing that which they were bound to do without any consideration at all, was almost as gross a breach of public law as the invasion of 1848. But the Great Powers were thoroughly tired of the question, and Austria and Prussia were in a condition to keep Holstein as long as they thought fit. Denmark had, therefore, no choice but to give them what they desired.

[1] [Taking advantage of the rebellion in Hungary in 1848-49 Prussia sought to substitute herself for Austria as head of the German Confederation. In 1850 Austria's hands were free, and war seemed imminent. But finally Prussia gave way on all disputed points at Olmütz.]

It was a curious coincidence that Denmark should have had to yield to the reactionary and despotic Austria of 1851, some part at least of the same demands that had been made by the revolutionists of 1848. The truth was that Denmark was between two fires. Austria had no taste for Schleswig-Holsteinism, and probably abominated the National party as heartily as Denmark could do. But she cherished fears of a totally different character. She looked upon the sufferings of the German nationality in Slesvig with much philosophy: but the constitution of the legislative body in Denmark excited her liveliest apprehensions. The King of Denmark had granted to his Danish subjects a very liberal constitution—rather more liberal than we in England should be inclined to approve: but, having granted it freely, he resolved to stand by it honestly. It was this constitution that made Austria nervous upon the subject of the incorporation of Slesvig. She was not sentimental upon the subject of the domination of a Danish over a German nationality. But she knew that if Slesvig and Denmark were incorporated, Slesvig must receive the institutions of Denmark; and consequently there would be a German community, as free as England, living on the north bank of the Eyder. Terrified at the prospect of an active Liberal propaganda, composed of exiles from every German State, conspiring, printing, haranguing, actually within earshot of Germany, she resolved to nip that danger in the bud: and it was intimated to Denmark that a guarantee against the incorporation of Slesvig must be a condition precedent to the restoration of Holstein. Thus Denmark's very virtues were turned against her. Her

freedom was no merit in the eyes of the democracy when the democracy was dominant; for free institutions are counted as dirt beneath their feet by a democracy that is bent on conquest. But that freedom was a deadly offence in the eyes of despotism, when the democracy had run its appointed course, and the reaction had set in.

At the same time, as a kind of pledge that she had no territorial acquisitions in view, Austria offered, if Denmark would give the required guarantees, to join the Great Powers in settling beyond all possibility of cavil a question of succession to the Danish throne, which was even then looming in the distance, and which threatened to be dangerous. Thus pressed by present necessity, and tempted by the hope of a solid compensation, Denmark, after making many ineffectual efforts to escape, prepared to yield. Her statesmen had cherished the hope that the favourable opportunity might be used for cutting the knot of all future difficulties, and removing a sore temptation from before the eyes of her ambitious neighbour. If one homogeneous Danish kingdom could have been constructed north of the Eyder, all pretence for the interference of Germany in the internal affairs of the Danish monarchy would have been removed. But that was not to be. No aid was at hand: England was weary, and Russia adverse: Austria and Prussia were obdurate; and the chance of procuring for the Danish succession the guarantee of a European treaty was a set-off not to be despised. There was no help for it. The weak must yield. At last, therefore, the Danish Minister for Foreign Affairs betook himself to the composition of despatches, which were to satisfy

the demands of Austria and Prussia. A correspondence followed, in which the scheme of government which the King of Denmark had consented to adopt was clearly explained; and as soon as they were satisfied upon this head, the Austrian and Prussian Governments restored Holstein to the King. They even went a step further, and signed the Treaty of London, under which the Danish succession was regulated according to a scheme unanimously approved by the Northern and Western Powers.

Now it is upon this correspondence that the reader who wishes to understand the Schleswig-Holstein question in its present phase must fix his attention. It is the pivot on which the whole controversy turns. In it are contained, if anywhere, the pledges on the part of Denmark, the fulfilment of which all Germany alleges to be a condition precedent to the performance of the Treaty of London. For what reason it was resolved to take these engagements in the vague language of a despatch, instead of in a formal treaty, it is not now necessary to discuss. The result has been an infinite addition to the perplexity of the dispute. It requires no little labour to ascertain what it was that Denmark really promised, and what it is on which the German Powers have now a right to insist. But still as it is to this correspondence that they appeal to justify them for dishonouring the signatures which they affixed to the Treaty of London, it is necessary for those who would master the intricacies of this question to consider the successive despatches somewhat in detail.

Fortunately there were only three despatches with which it is necessary to concern ourselves,

and only one of these is of primary importance. The first despatch is one from M. Bluhme,[1] Minister of Denmark to Austria, explaining the intentions of the King in respect to the Government both of Slesvig and Holstein. The next is a reply from the Prince Schwartzenberg,[2] Austrian Minister, setting forth at length the interpretation which his Court, in behalf of Germany, placed upon the Danish explanations. The third is a reply from Denmark accepting this interpretation without demur. The dates of the three despatches are respectively, December 6, 1851; December 26, 1851; January 29, 1852.

The despatch of the Danish Minister Bluhme commences with a vigorous protest against the curious interpretation affixed by the Austrians to the word "pacification." Then it proceeds to state in detail what the King's intentions are with respect to the future government of his kingdom. He is willing to renew the declaration already made by his father, and also by himself, that he will not incorporate Slesvig with Denmark, and will take no step that has that end in view.[3] He also consents to maintain certain social ties between the nobility of Slesvig and Holstein, consisting principally in some facilities for borrowing each other's money, and the privilege of mutual admittance to certain conventual institutions maintained in each Duchy. At the same time he distinctly

[1] [Born in 1794. One of the leading Danish statesmen from 1848 till the date of the essay.]

[2] [1800–1852. A soldier and diplomatist who, after fighting with distinction in the Italian war of 1848, was made chief minister of Austria in that year.]

[3] Noch irgend dieselbe bezweckende Schritte.

states that he "definitively rejects the so-called Schleswig-Holsteinism"; and that he will not renew the tribunals of appeal which the Duchies had enjoyed in common, or the administrative system under which the local government of the two Duchies was carried on by the same set of superior officials. This community of tribunals and of Ministers had been accorded to the two Duchies principally since 1834; but it had been made the pretext of rebellion, and therefore it could not be revived. The King further intimates his intention of introducing representative institutions for the Danish monarchy as a whole, and he proposes to do this with the co-operation of the Assemblies of the various Duchies.

M. Bluhme's despatch of course occupies a very much greater space than we have been able to give to it; but we have abstracted the substance of all the portions that are material to the present controversy. Prince Schwartzenberg, who was then at the head of the Austrian Government, replied to it on the 26th of December, 1851. This Austrian reply is, with the exception of the Treaty of London, the most important paper in the whole controversy; for it contains, in fact, the celebrated contract of 185–152. It was acceded to by Prussia, the other commissary of the Confederation; it was sanctioned by the Diet, and therefore it is conclusive against Germany: it was formally accepted by Denmark; and it states in detail not only the meaning to be attached to the promises of Denmark, but also their binding character as a diplomatic instrument. It will be necessary, therefore, to extract the more important passages at length. First, we will range the two passages in which Austria

distinctly declares that she regards the Danish declaration of intentions in the light of an international covenant, and that she will only evacuate Holstein, and sign the Treaty of London, in consideration of that declaration, when she learns that Denmark attributes to it the same binding character :—

"From our earlier communications your Excellency is fully acquainted with the points of view from which in general we regard these declarations of the Danish Court. You will therefore be prepared to learn, that, to hasten the termination of this affair, we are quite ready to express our opinions upon the views of his Majesty the King, which are now communicated to us, but that we, on our side, can only do this upon the supposition that we have before our eyes a declaration which is looked upon by its author as binding, and whose accomplishment is therefore secured."

This passage is plain enough; but there is another towards the end of the despatch which is more distinct still :—

"If, now, the Danish Government should be inclined to accept, as their own, that conception of its programme which we have set forth in this despatch and the annex to it—if they would, at the same time, secure to us, in the binding form of a declaration made by the command of his Majesty the King, the real execution of the intentions which they have only as yet officially made known to us as a possible eventuality—and if they would take their measures accordingly, so far as the opportunity at present exists—then we might securely count upon an early and a friendly termination of

the differences which have hitherto arisen between the various parts of the Danish monarchy, as well as between it and the Germanic Confederation. We would give back the mandate under which, in common with Prussia, we represent the German Confederation in this affair, and at the same time evacuate Holstein, and re-establish the full power of the Sovereign in that Duchy; we would answer in the Diet for the union thus effected; and at the same time we would hold the new internal foundation for the connexion of the combined lands under one ruler to have progressed sufficiently to allow us to take part in an international guarantee of the integrity of the monarchy by the recognition of a common succession."

It is evident that if Denmark accepted this interpretation of her intentions, and if, in consequence of that acceptance, Austria did evacuate Holstein, and did sign the Treaty of London, an engagement was contracted by Denmark towards Austria as distinctly as words could contract it. Denmark did accept the Austrian interpretation. The following are the words of M. Bluhme, in a despatch dated January 29, 1852:—

"Under these circumstances it is with peculiar satisfaction that, in pursuance of authority given me by the King, I hereby make the following declaration: 'That the King, our most gracious Lord, recognizes as in agreement with his own, the interpretation of the intention communicated on his behalf to the Courts of Vienna and Berlin, which is contained in the despatch of the Austrian Cabinet of December 26, 1851, and in the annex to the same—both in general, and especially that part of it which refers to the non-incorporation of Slesvig with the kingdom.'"

It follows, therefore, beyond all question, that Denmark did covenant, in 1851-52, to fulfil the programme of domestic policy drawn out for her in the Austrian despatch. It has been necessary to make good this point, because some zealous Danes, acting on the principle that you should never admit anything, have called these stipulations into question. So far is plain enough. But when we come to inquire what these stipulations are, we shall not find our path so clear. The vague language of a courteously worded despatch is a bad vehicle for positive engagements; and the consequence of the form adopted is, that this informal contract between Denmark and Germany possesses a double quantity of the haziness which is apt to attach to all international agreements. However, this Austrian despatch is the only source from which any light can be obtained upon the subject; and therefore to the Austrian despatch we must return.

There is one point, and only one point, in these stipulations which has since become of international importance. It is the promise, so constantly repeated, not to incorporate Slesvig. Closely connected with this promise are the stipulations which relate to the nature of the united constitution which was contemplated, and the undertaking that the various parts of the country should be treated equally. The following are some of the most material passages:—

"The Imperial Court learns with satisfaction the resolution of H.M. the King of Denmark to revive, not only in the Duchy of Schleswig but in that of Holstein, the Institution of Provincial Estates, which still legally exists: and when H.M.

at the same time announces his intention of introducing an *organic and homogeneous constitutional connection* of all the parts of the country into one united monarchy (in a lawful and constitutional manner, and therefore after consultation with the provincial Estates of the said Duchies, and so far as concerns the kingdom of Denmark, by negotiations with the Reichstag, and in respect to Lauenburg with the co-operation of the Ritterschaft and Landschaft), the Imperial Court can only recognize this intention of the King as being directed to the fulfilment of a duty that cannot be declined. . . .

"H.M. The Emperor expresses his confident expectation, that the King, both in the future organization of the monarchy and in the provisional conduct of affairs, will know how, with equal solicitude for all, to preserve, by appropriate arrangements, to all the various parts of the country, the position which belongs to them *as members of a whole, in which no part is subordinated to another.* . . .

"The maintenance of *independent* (selbstständig) *constitutional administrative institutions* in the various parts of the country, without prejudice to the combined government of their common affairs at the centre, is, in our belief, an indispensable condition of the establishment of the internal tranquillity of the monarchy."

There are a few words (they are italicized) in these paragraphs which were probably little weighed at the time when they were written, but upon which a gloomy pile of controversy and recrimination has been subsequently raised. What is signified by the promise to preserve to the various parts of the country in the construction of a common constitution, the position which belongs to them "as members of a whole, in which no part is subordinated to any other?" In other words, in

electing a common parliament, how many members is each part of the country to have, so as not to be "subordinated" (*untergeordnet*) to any other? Most people, who think of the examples of Austria, Italy, Germany herself, would be inclined to say that the number of members should be distributed chiefly with reference to population. Such a constitution would best correspond to the phrase, "an organic and homogeneous connection of all the parts of the country into one united whole." As, however, we shall have occasion to see further on, Prussian ministers, Members of the Holstein Assembly, nay, Committees of the Diet itself, were found to maintain the startling doctrine, that the promise would only be satisfied when *each* of the Duchies, even little Lauenburg, should have as many members in the common Parliament as all the kingdom of Denmark. It is enough for the present to say that there is no hint of such an idea in these despatches.

The great point, upon which the despatches on both sides are very emphatic, is that Slesvig shall not be incorporated with the kingdom of Denmark. As a set-off, the German Powers were willing to concede that the political separation between the two Duchies should be marked as strongly as the King pleased. It must always be borne in mind that the time at which this correspondence was conducted was the very flood-time of the reaction; and that therefore the objects of Germany differed diametrically from those which it had sought three years before, or which it is seeking now. The imposture of Schleswig-Holsteinism, the dream of a great Teutonic republic, the wild nationality frenzy, were far enough then from the thoughts of German rulers. Their only care was to keep the

ultra-Liberal institutions of Denmark at a safe distance from the German frontier. Therefore they were zealous in resisting the incorporation of Slesvig with Denmark: but they were wholly indifferent to the separation of Slesvig from Holstein. It is necessary to remember this, in order to understand why the Austrians in this despatch are so anxious that the constitution of Denmark should not be introduced into Slesvig, and why they consent so readily that the whole Schleswig-Holstein theory and the indissoluble union guaranteed by King Christian's "Privileges" should be put aside as diplomatic lumber. The following are the passages which guarantee upon the one side the non-incorporation of Slesvig, and sanction on the other the permanent separation of Slesvig and Holstein :—

"In the declaration of His Majesty the King of Denmark that neither shall any incorporation of the Duchy into the kingdom take place, nor any steps be taken having that for their aim, the Imperial Court sees with satisfaction a new confirmation of the promise which was given by the late King Christian VIII. to his subjects, and afterwards renewed by the present Sovereign after the treaty of the 2nd July, 1850, and in accordance with the fourth Article of that treaty, was communicated to the Germanic Confederation as a resolution taken by the King for the pacification of the country. When, on the other hand, His Majesty of Denmark considers those other declarations which were spontaneously made in the Diet by his predecessor on the throne upon the 7th September, 1846, and which were acknowledged by it to be satisfactory by the resolution of the 17th September (according to which King Christian VIII. entertained no intention of introducing any change in the relations

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which then united the Duchy of Holstein to the Duchy of Schleswig) no longer in all points suitable to the present condition of affairs, and in particular has convinced himself that the connexion in respect to Administration, and Courts of Appeal, which has existed between the two Duchies chiefly since 1834, but which is now actually abolished in consequence of recent events, must be abolished also for the future, the Imperial Court upon its side admits that the said declarations of September 7, 1846, presupposed the then existing conditions of the Danish monarchy, and did not involve the legal result of making dependent upon the consent of the Confederation the resolutions which, under changed circumstances, in pursuance of his Sovereign rights, the King might take, and which do not affect the legal competence of the Confederation. The Imperial Court will therefore not object upon its own behalf to the abolition of the before-mentioned connexion, and will use its influence, that this measure should not be objected to by the Diet."

Thus the great Schleswig-Holstein fiction, which learned men had laboured for so many years to build up, was formally exploded. It is evident that whoever else believed in the Charter of King Christian, the Austrian Minister who composed the despatch did not, nor the other German Governments who, in Diet assembled, confirmed it. But there was another point upon which Austria and Germany looked with a great deal more interest at that time :—

"As his Majesty the Emperor sincerely desires to see the peace and prosperity of the Danish monarchy established as soon as possible by a definite organization adapted to its needs, he allows himself confidently to hope that the Danish Government, in their efforts towards this important end,

will perhaps not give an exclusive preference to those institutions which have been bestowed upon the kingdom of Denmark Proper in recent years, but that they will keep before their eyes, as their sole sure guide, the permanent relations of the collective monarchy, and the object of strengthening internally its union into a whole. *Once at ease upon this point*, His Majesty will not delay, in conjunction with other friendly Powers, to exert himself to secure that union by an international guarantee of a common succession."

This is a curious paragraph, for more reasons than one. It is common for German advocates to represent that the Treaty of London was signed by the German Powers in consideration of Denmark's promises not to incorporate Slesvig with the Kingdom. They find it, in these more liberal days, convenient to forget the plain wording of the despatch. The consideration is here categorically stated. Austria promises to sign the Treaty as soon as she is at ease upon one particular point; and that point is, that Denmark should refrain (as she has done) from introducing into the whole monarchy the ultra-Liberal institutions which had been recently granted to Denmark Proper. The other curious feature in this paragraph is, that the treaty which the Emperor undertakes to sign is a treaty, not of mere recognition, but of guarantee (*Verbürgung*). The Emperor, and through him all Germany, for Germany sanctioned the despatch, pledge themselves to *guarantee* the succession of Prince Christian of Glücksburg. In other words, Germany hereby promises, not only to acknowledge Prince Christian's title, but to maintain it against all the world. Does any Austrian or German statesman ever perchance take up this not very ancient

document? And can the most hardened diplomatist among them repress a blush of shame for his country when he reads over again this pledge so solemnly, so recently made, and so shamelessly forsworn?

Such were the essential points of the celebrated stipulations of 1851-52. A constitution for the whole monarchy, passed in a constitutional and lawful manner, and dealing equally with the various parts of the country—no incorporation of Slesvig, no re-union of Slesvig and Holstein, and an abstinence in the reorganization of the monarchy from an "exclusive preference" for the existing institutions of Denmark—those were the main engagements contracted between the two nations in the correspondence of those years. We must now briefly follow the fate of these provisions during the ensuing period, and see how a weapon, forged and sharpened by despotic Sovereigns, was skilfully wielded by the Democratic party for the gratification of that lawless lust of territory, which is the one great point upon which despotisms and democracies agree.

The Danish Government set to work in good earnest to establish a moderate constitutional system for the whole monarchy. They imagined that such a measure, if carried out with fairness and equity, would be the truest pledge that they could give of their intention to fulfil loyally the agreements of 1851-52. But they very soon found that this was very far from being the intention of their late antagonists. In 1853, before the new arrangements had been elaborated, the Holstein Estates, acting under German guidance, voted the following remarkable proposition:—

"That a beneficial coexistence of all parts of the State could not be obtained, except by the re-establishment of *an absolute Government* with only consultative assemblies [*i.e.* assemblies that might give advice, but could not enforce it] in all parts of the monarchy."

This curious resolution threw a glare of light on many obscure parts of the correspondence. Those hints about not showing "an exclusive preference" to the institutions that had been recently granted to the kingdom of Denmark, were no idle phrases. They were in reality meant to suggest that the King of Denmark should follow the example of so many German Sovereigns, and take back, under shelter of the reaction, the concessions which he had granted professedly of his own free will. The Committee of the German Diet betrayed, even so late as January in the year 1858, the feelings which actuated the German Governments in this matter, and the light in which they looked upon the Parliamentary liberties of Denmark:—

"That state of things [the Parliamentary Government of Denmark] which dates from a recent period, involves a limitation of the liberty of action of the Royal Ducal Government, scarcely reconcilable with the principles of the confederation."[1]

Such were the motives which actuated the German Governments, and to which the puppets whom they moved in Holstein steadily conformed.

[1] [The paragraph is taken from the report of the Holstein-Lauenburg Committee, which had been appointed on Oct. 20, 1857, to consider complaints as to these Duchies. The report which was presented on Jan. 14, 1858, was adopted in substance by the Diet.]

If the King of Denmark would have yielded to their counsels; if he would have broken his kingly word, as others had done before him; and if he would have taken back the Constitution he had granted to the Danes, it is probable that for many a long year we should never have heard of the Schleswig-Holstein difficulty again. But his nature revolted from the ignoble part which it was proposed to him to play, and he paid the penalty which usually awaits those who aspire to an exceptional morality. The proposal of the Holstein Estates was rejected. A constitutional system was granted to the whole monarchy, upon the same plan as that which was afterwards applied by the Austrian Government to their heterogeneous empire. Deliberative Assemblies in each of the Duchies and in the Kingdom were entrusted with the management of the local affairs [1] of each; and the affairs which were common to the whole monarchy, a common Parliament was elected to conduct.[2]

From this point Holstein, and the German Diet at its back, went into furious opposition. In point of liberty, the new charters were a great boon; for the Duchies, though they had possessed merely consultative assemblies for twenty years, had never before had a real voice in the conduct of their own affairs. It was a change, in fact, from Government by a sort of Elective Privy Council, to Government by a Parliament. At the same time the new Constitution was eminently calculated to give consistency and stability to the Danish monarchy.

[1] For Lauenburg, Dec. 20, 1853; for Slesvig, Feb. 15, 1854; for Holstein, June 11, 1854.

[2] Oct. 2, 1855.

But these two excellencies did not tend to recommend it to Germany. An increase of liberty was in no way what the German Governments of that date desired: and any augmentation of the strength of Denmark, while it was not particularly pleasing to the Governments, was a sheer abomination to the democratic and "national" party. Agreed, therefore, in nothing else, these two bodies were entirely at one in their hatred of the Constitution of October, 1855, and no doubt their unwonted concord infused unusual vigour into their operations. The Diet, surprised to find itself popular, displayed an agility quite foreign to its ordinary movements, and a vigour and union which it had never been able to compass upon any other subject before. The popular party, delighted to find that there was one item of their programme upon which their Governments allowed them to speak and write to their hearts' content, made full use of a liberty to which they were perfect strangers. Just as Poland and Madagascar[1] occupy a startling prominence in the French papers, in consequence of the prohibition that shuts them off from the discussion of home politics, so Schleswig-Holstein became the standing topic of every journalist or lecturer who desired to vent his feelings in political discussion without coming into an unpleasant collision with the police. The result was that an organized and systematic opposition was commenced against the Danish Government. Sometimes it worked through the Holstein Chambers;

[1] [Some enterprising Frenchmen had obtained a treaty from Radama II., King of Madagascar. He was murdered in 1863, and his wife and successor Rasoherina refused to ratify the treaty. The French obtained one million francs as compensation.]

sometimes the Diet was its instrument; and whatever was the official mouthpiece employed by the assailants, the informal hostilities carried on by German newspapers and associations never flagged. The result of their ten years' labour may be seen in the two embittered and irreconcilable nationalities that confront each other now on the banks of the Eyder.

The merely technical pretences under which Germany masked its harassing warfare during the eight years that followed, do not need to be described at any length. They were disguises which served their purpose at the time. They belong now to one of the driest chapters of a dead history. The Holsteiners began the war against the new Constitution by certain objections of form having reference to the manner of its promulgation. It was taken up by Prussia and Austria in a correspondence, and despatches were exchanged without result for about twelve months. The chief complaint was, that a sufficient influence over the common affairs of the monarchy was not given to the special assembly of Holstein. At last, after many fruitless proposals for an accommodation had been made by Denmark, Austria and Prussia invoked the interference of the Diet. The Diet took the matter up, and denounced the Constitution, on the ground that each of the Duchies had not an equal voice in the common Parliament with Denmark. The Danish Government interpreted the promise of treating them all equally as binding it to give them the same measure of power. They were allowed to send members to the Rigsraad in direct proportion to their population. Germany demanded that all considerations of population should be disregarded,

and that each of the three Duchies should have an equal number of votes. In other words, Lauenburg with a population of 50,000, and Denmark with a population thirty times as large, were to possess equal power in deciding upon the common affairs of the monarchy—upon peace or war, armament or disarmament, taxation or retrenchment. Such a demand was clearly inadmissible, unless the Danish majority was prepared submissively to give itself over to German government. In the mean time, the Diet insisted peremptorily upon the revocation of the Constitution, so far as Federal territory was concerned. Denmark resisted; a long and angry altercation followed; execution was threatened; and at last, under the pressure of the great Powers, who interfered to avert the danger of war, Denmark consented to give way. On the 6th November, 1858, the Constitution of 1855, so far only as Holstein and Lauenburg, the two German Duchies, were concerned, was formally revoked.

Possibly Denmark imagined, that with this concession, Germany would be satisfied; and at first at least this seemed likely to be the case. The Diet professed to receive the announcement of it "only with satisfaction." But, unluckily for her, just about this time a change came over the spirit of the chief German Sovereigns. The present King of Prussia[1] succeeded as regent to his brother; and at first took into his councils politicians of a more liberal shade than those who had hitherto ruled. Their liberality did not indeed extend to according freedom to their own countrymen. It found a

[1] [Afterwards the Emperor William I. His first Ministry included Baron Schleinitz as Foreign Minister, who had identified himself with the views of the National party as to Holstein.]

safer expression in giving full rein to the National party in their enterprise against the independence of Denmark. Ministers who wish to be supported by a liberal party, when their own views are in fact of the opposite hue, very commonly adopt the compromise of handing over foreign affairs to the Liberals, and adhering in home affairs to their own convictions. Such was the policy of the Ministry which followed the Prince Regent into power. A change in the same direction shortly afterwards took place in the Government of Austria, immediately after the Italian war.[1] Thus it came to pass that the foreign policy of Germany passed out of the hands of the reactionary party into the hands of the National-Verein. From this time forward, the clouds around the path of Denmark began to thicken. The declarations of the German Courts assumed a more bitter tone; the demands made were more unreasonable; and the prospect of war becoming more imminent daily, drew in the non-German Powers to a more active interference, for the purpose, if possible, of allaying the dispute. Under these circumstances, the concessions which Denmark had made by the decree of November 6, 1858, in no way served her. They were only treated by her embittered enemies as a vantage-ground from which more might be obtained.

The German Powers insisted that Denmark should set to work to frame a new common constitution instead of that which had been so ruthlessly destroyed. Denmark was not unwilling to undertake

[1] [In Prussia Prince Hohenzollern-Sigmaringen was the Regent's first minister, followed by Prince Hohenlohe in 1861 and Count Bismarck in 1862. In Austria in 1860 the powers of the Reichsrath were enlarged, and a new constitution promulgated.]

the task: she had every motive for desiring to do so. A constitution forcibly cut in two was not a convenient instrument to work with. It was absolutely impossible for the Danes to carry out the ordinary business of Government, the levy of taxes, and the provision for common defence, if they were required to act on strictly constitutional principles, and yet had two independent assemblies to deal with. And whatever of difficulty there was naturally in the task was aggravated tenfold by the pertinacious and harassing opposition that was conducted from Frankfort. The Diet and its agents in the Holstein chamber threw every obstacle in the way of the Government that technical skill could devise. The Danes not only found themselves unable to obtain the supplies from Holstein necessary for carrying on the business of the monarchy, but no law affecting the general interests of the Danish monarchy in the most distant degree was allowed by the Diet to be carried into execution until it had received the assent of the hostile Assembly in Holstein. In other words, all legislation that affected the whole monarchy was prohibited. It was as though the King of Italy should forbid the Emperor of Austria from fortifying the Galician frontier until he had obtained the assent of the provincial Diet of Venetia. Such were the powers which the German Diet claimed under the stipulations of 1852, and such was the spirit in which those powers were exerted. Under these circumstances it may well be believed that Denmark was eager to put an end to the provisional state of things. Again and again she brought new proposals for an adjustment of the dispute before the Estates of Holstein. To make her proposals more palatable

to the people of the Duchy, she offered them a charter granting to them an amount of civil liberty exceeded in no country in the world. Full freedom of the press—unlimited right of association—a Habeas Corpus Act of extreme stringency—responsibility of officials to the ordinary tribunals—these were the baits she offered to induce the Holsteiners to come back into the Danish constitution under a representative system of the ordinary type.[1] Those who know the attenuated liberties enjoyed in most German States will understand the full value of concessions such as these. But the National Verein, who by this time were masters in Holstein, and were formidable even at Frankfort, had no taste for pacific blessings of this kind. Their thoughts were bent on other triumphs besides those of civil liberty. The proposals of Denmark were summarily rejected by the Holstein Assembly.

There was one concession, indeed, which Denmark was fully resolved not to offer, and it was the one, unfortunately, without which neither Holstein nor Germany would treat. She would not consent to Count Bernstorff's[2] demand that in the constitution of a central Parliament "the existing principle of representation, according to population, should be abolished,"[3] and "that the four parts of the monarchy, namely, the Kingdom, the Duchy of Schleswig, of Holstein, and of Lauenburg, should be on a footing of perfect equality."[4] In sheer

[1] [March 6, 1861.]

[2] [1809–1873. In 1861-62 he was Prussian Minister for Foreign Affairs. From the beginning of 1863 till his death he was Ambassador in London.]

[3] Parl. Corr., 1863, p. 298.

[4] Ibid., p. 204.

self-defence, as one fighting for dear life, she refused to consent to an arrangement which would have handed over two million Danes, bound hand and foot, to be the vassals of 800,000 Germans, and would have made Copenhagen a mere dependency of Vienna and Berlin. It is impossible to blame the Danish people for such a resolve as this: rather they would have been the most contemptible of nations if they had yielded to such a demand without a struggle. Nor had the Germans any show of argument by which to justify a proposal so monstrous as that Lauenburg, with one-thirtieth part of the population, should exercise over the destinies of the monarchy an influence equal to that of Denmark. It was a consequence drawn by the cunning jurists of Frankfort from a sentence in the Austrian despatch, already cited, which laid down that the King of Denmark was "to preserve to all the various parts of the country the position which belongs to them as members of a whole, in which no part is subordinated to another." The obvious meaning of this is, that each part should have equal rights and be subject to equal imposts—that both taxation and representation should be apportioned everywhere upon a uniform principle. No one would dream of imposing upon Lauenburg as many taxes as those which are paid by Denmark. And no one but a Prussian in search of a pretext for aggression would maintain that Lauenburg was to have an equal share in spending the revenue of which she had only contributed one-thirtieth. If she is only to be rated at a population of 50,000 for the purposes of paying, she cannot demand to be rated on a level with Denmark, that is to say at a population of 1,500,000, for the purposes of

spending. Prussia would be somewhat surprised if Posen put forward a claim of the same kind. The German Diet itself would stare very much at the result, if its own mysterious logic was applied to its own constitution. The Federal Act of 1815, by which the Diet was created, has provisions in favour of the equality of its constituent parts far more strongly worded than anything in the correspondence of 1851-52. For instance, Article III. lays down that "All the members of the Confederation have as such equal rights." Take, again, Article II. of the Final Act: "This union forms internally a community of sovereign independent states, with equal mutual rights and obligations." There is nothing near so strong in the Austrian despatch. Yet the Diet would be startled if Lippe Detmold, or Reuss, or Lichtenstein, were to make his appearance at Frankfort and protest that, as "gleichberechtigt," he claimed a right to as many votes as Austria.[1]

There were other counter-propositions put forward by Holstein and Germany; but by the side of the splendid effrontery of this demand, they pale their ineffectual light. Our space would be utterly inadequate to anything approaching to a full statement of the weary and intricate negotiations which occupied the eight years from 1855 to 1863. Even if we were able to do so, and our readers had courage to plunge with us into the labyrinth, their labour would be thrown away. We have indicated the irreconcilable difference upon which the negotiations really split. All the subsidiary disputes, infinite in their number and ramification,

[1] [To the Diet consisting of seventeen members Austria sent one, and the three states mentioned with three others, jointly sent another.]

were, in truth, only parenthetical exhibitions of ingenuity or hate. As to the merits of the various questions raised, something of an opinion can be formed, even by the most uninitiated spectator. It is the usual and the wisest plan when you are unable to study a subject for yourself to take your opinion from some better instructed person in whose impartiality of judgment thorough confidence can be placed. It is, fortunately, possible to find a guide of that character in respect to these transactions. There is one member of the Federal Diet, and one only, who is neither a German nor a Dane. A plenipotentiary from the King of the Netherlands sits in the Diet, as representative for Luxemburg and Limburg. So far as the sympathies of the King of the Netherlands would in any degree be determined by considerations of race or language, they would lean to Germany; for Dutch has a strong family likeness to the Low German which is spoken in Holstein and Southern Slesvig. So far as his interests go, both sides of the quarrel are a matter of absolute indifference to him. Holland will in no degree be affected, whether the links that bind Slesvig and Holstein to Copenhagen be or be not divided. Only one interest he has in the matter, and that is that the laws of the Confederation be truly observed, and that no injustice be done. For any evil or oppressive principle set up by the German Powers in the Diet, though applied to-day to Holstein, might be turned against Limburg to-morrow. To the judgment of the Dutch plenipotentiary, therefore, we look with no slight interest. And it must influence our judgment of the merits of these complicated questions in no small degree when we find that a spectator so

minutely familiar with the case, and so far removed from the disturbing influence of any angry passion or national sentiment, gave his vote again and again upon the side of Denmark against the combined body of the German Powers.

The issue of this Holstein question, so far as any issue has been reached, will be fresh in our readers' minds. Wearied out by incessant altercation, and hopeless of conquering the difficulties incident to the "dead-lock" which the Confederation had brought about, Denmark resolved to renounce the dangerous possession from which all this trouble flowed. As the Holsteiners were resolved not to be governed from Copenhagen, it was determined to let them have their way. On the 30th of March last year a Patent was issued altogether separating the Government of Denmark and Slesvig from the Government of the German Duchies. If Germany had been sincere in the ostensible ground of her interference, and had merely desired good government for Holstein, this measure would have been cordially welcomed. But as Holstein was merely looked on as a handle wherewith to lay hold of "the North-German Peninsula," of course the Germans were furious at seeing their handle broken. They insisted that this step should be retraced; and under the pressure of those powerful allies who are prodigal of the valuable aid which consists exclusively of good advice, the Patent was accordingly revoked. Denmark's position, therefore, with respect to Holstein, at the present moment, may be looked upon as exactly analogous to that of the celebrated individual who is known in history as having caught a Tartar. He could not bring the Tartar along with him, because the Tartar

would not come; and he could not come away and leave the Tartar, because the Tartar would not let him. Such is the exact description of the present relations between Denmark and the Duchy of Holstein as established by the good offices of the Germanic Confederation.

Before we leave the ground of past negotiations altogether, we must say a word about that other Duchy—the Danish Duchy of Slesvig—whose liberties the Germans, with a charity that has not begun at home, are so affectionately anxious to secure. Slesvig does not make its appearance till a very late date in the negotiations. It was not till the year 1860 that it was alluded to even by Prussia: and, till quite the most recent stage of the dispute, its name does not appear in the peremptory, but unintelligible mandates of the Diet. But it was present in the minds of those who inspired the Diet's measures at a much earlier period. Count Bernstorff distinctly admitted, two years ago,[1] that the Holstein sore was being kept open purely for the purpose of forcing Denmark to yield upon the subject of Slesvig. And there is no doubt that Slesvig has been the chief object all along of the popular leaders, to whose vigorous impulse the Diet owes the unwonted activity which has marked its proceedings during the last few years. Slesvig has been the point of attraction, both to those who calculate and those who sentimentalize. It is on the coast of Slesvig, or under its command, that the good harbours are to be found: it is the possession of Slesvig that will reduce Denmark to the condition of a dependency: and lastly, it is in Slesvig that the sublime and divine German language is being

[1] Parl. Corr., 1863, pp. 196–199.

blasphemously excluded from village pulpits and parish schools. The compound word, Schleswig-Holstein, which is a patriotic watchword in Germany and the mark of a traitor in Denmark, accurately expresses the order in which the two Duchies stand in the affections of Germany. Had it not been for its connection with Slesvig, and the pretext for encroachment that could be manufactured out of that connection, the Diet would have paid about the same attention to the grievances of Holstein that it has paid to those of the Tyrol. And accordingly, though the sorrows of Slesvig came late upon the field of diplomacy, they soon overshadowed every other dispute. They are the portion of this tedious question with which the ears of Englishmen are most familiar; and to them ostensibly the impending European war, if it ever should break out, will owe its rise.

The grievances advanced on behalf of Slesvig fall chiefly under two heads. It is complained that the German nationality in Slesvig is being oppressed, and that Slesvig is being incorporated with Denmark. With regard to the first of these two charges, even if it were true, the title of Germany to interfere is not very obvious. There is no word concerning the German nationality in the correspondence of 1851-52. But yet it is alleged that Denmark has given a pledge to Germany that she will treat the two nationalities equally. The line of reasoning by which this pledge is established, is ingenious, and has, at all events, answered the purpose of convincing every one who desired to believe it. M. Bluhme's letter of January 29, 1852, in which he accepts the Austrian despatch as a true exposition of the King's intentions, also

encloses a proclamation, dated January 27, 1852, in which several of the engagements recently made to Germany are embodied in the form of a Royal Decree. M. Bluhme transmitted the proclamation to the German Powers, as an earnest that Denmark was sincere in the promises she had given. But the proclamation was not limited to a fulfilment of those promises. Being intended in the first instance for the information of the King of Denmark's own subjects, it contained several other provisions, not mentioned in the Austrian despatch. There was, for instance, an announcement that the Minister for Foreign Affairs would be named Prime Minister; that the King's uncle should be a member of the Privy Council; that the Directory of the Sinking Fund should be transferred to the Ministry of Finance. In company with these various provisions it is also stated that the King intended, in the projected draft of a charter for Slesvig, "to secure to the Danish and German nationalities in that Duchy perfectly equal rights and protection." Now, by what conceivable process of reasoning does Germany evolve from this state of facts that Denmark promised *to her* to protect the German nationality? The only contract Denmark made to Germany was contained within the four corners of the Austrian despatch, by which she herself consented to be bound. What is not in the Austrian despatch is not in Denmark's contract. The proclamation forwarded by her to Austria in proof that she was keeping that contract, can only bind her to Austria as far as it refers to that contract. Parts of it do refer to that contract; parts of it do not. The German nationality clause belongs to the latter division, because the question of nationalities

and languages is not even so much as touched upon in the Austrian despatch. Surely to say that because it happens to have been written upon the same parchment as those provisions on account of which the proclamation is communicated—namely, those which do refer to the Austrian despatch—that therefore it becomes a portion of the contract, is to argue only as the strong argue to the weak. In private life no one would venture to maintain such a position. A landowner contracts with one of his neighbours that he will not cut down a hedge-row upon a bit of land that lies near his neighbour's house. To show that he intends to fulfil his contract he forwards to the neighbour a copy of a letter to his own agent containing the requisite directions. In the same letter he also mentions to his agent that he wishes part of the land to be sown with wheat, and part of it with turnips. Would the most litigious attorney ever enrolled dream of contending that the landowner had thereby contracted with his neighbour to sow the wheat and turnips? If the case had not a Federal army at its back, it would not bear a moment's argument. Nor can it be said that this intention of protecting the two nationalities equally was put forward to induce Austria and Prussia to sign the Treaty of London. They had already pledged themselves to do so, as soon as Denmark had accepted the despatch; and Denmark having done so, any further inducement became superfluous.

Passing from this point, and fully admitting that Denmark, though in no way bound to Germany upon the subject, is yet bound, in regard to her own honour, to govern all races of her subjects equitably, the further question arises—Are the

Germans really oppressed? Considering the bitterness that years of mutual abuse have engendered, one would certainly expect to find that wherever Dane or German had the other in his power, the results would be unpleasant to the weaker party. But upon the actual facts it is difficult to get at any clear evidence. As far as regards what in England we should call oppression, the Danes must be acquitted. They have indeed exiled many of the leaders of the rebellion of 1848; and they undoubtedly suppress treasonable writings, and prohibit meetings which have for their object the annexation of Slesvig to Germany. But it does not lie in the mouth of Germany, or indeed of any other Continental State, to cast these measures in her teeth. Beyond this the government appears to be mild, and it seems that, with the exception of the language question, there is no widely prevalent discontent: certainly there is no discontent sufficient to induce the people of the Duchy, as a whole, to desire a union with Germany. Upon this point the testimony of Mr. Paget, our able Minister at Copenhagen,[1] is decisive:—

"I had been at some pains to ascertain the truth, and by your Lordship's authority I had employed a person to visit the Duchy, and report upon the real state of things. It appeared from this report that the populations of the mixed districts were in many instances subject to much petty annoyance and vexation on the part of the subordinate officials of the Danish Government; that there was much discontent respecting the language question: but

[1] [1823–1896. Afterwards Sir Augustus Paget, G.C.B. He had been our Minister at Copenhagen since 1859, and represented Great Britain at Rome 1867–1883, and at Vienna 1884–1893.]

that there was no inclination or desire, except on the part of some individuals suspected of being agents of the German party, for a junction with Holstein, and still less with Germany."—*Parl. Corr.*, 1863, p. 163.

A similar testimony has been given by more recent observers. It is quite true that civil liberty is not in a very promising condition in Slesvig. The police are armed with powers of repression, resembling only too closely those which they wield in Prussia and other German States. But this is not the fault of Denmark. She would gladly have communicated to Slesvig the complete liberty which she enjoys herself. But she insists that the liberty shall be complete; that if the executive is to be reformed, the legislature must be reformed too; that if the police are to be disarmed, the Assembly shall be so elected as fairly to represent the whole population, and shall not be, as now, so packed as to be only the mouthpiece of a disloyal section, which is in league with the foreigner. This complete liberty, however, she is disabled by Germany from granting. It would constitute that "exclusive preference" for modern Danish institutions, which is so anxiously guarded against by the Austrian despatch. She has rigidly adhered to her contract; and no attempt has been made to introduce the institutions of Denmark Proper into Slesvig.

To do the Germans, however, justice, they do not much insist upon the necessity of Slesvig enjoying a liberty with which they are little acquainted at home. They prefer to rely upon the language grievance, which is more romantic, and exposes them less to distressing retorts; and it is

that complaint which, as being the most intelligible, and at the same time the most singular, has fastened itself upon the minds of English people. It is, indeed, a very curious specimen of a microscopic grievance. Of the whole number of parishes in the Duchy of Slesvig, 117 in the Northern part are wholly Danish; while 110 in the Southern part are, or for the sake of peace are assumed to be, wholly German. With respect to these two districts there is no difficulty whatever. The language of Church and School is Danish in the one and German in the other. But there remain 49 parishes, containing some 85,000 souls,[1] in which the population is mixed: and in these parishes the conflicting claims of the languages are adjusted by the simple arrangement that both languages shall be taught in the schools, and that a service in each language shall be celebrated in the churches upon alternate Sundays. It is difficult to imagine an ideal legislator contriving a more absolutely equitable plan—especially as the peasantry speak a kind of *patois* composed of bad dialects of both languages, and therefore have no room for indulging any sentiment about their native tongue. Complaints are, of course, made on both sides that some parishes are mixed which ought to be either Danish or German. But even if any mistakes have been made in the allotment, of which there is no proof, the consequences at any rate are not overwhelming. The only effect is that the aggrieved peasant hears one sermon a fortnight instead of two. We very much doubt if a great popular agitation could be got up in England upon this basis. The grievance, indeed,

[1] Some estimates have placed them much lower; but we believe these figures to be approximately correct.

did make its appearance in the House of Commons this very last session. The English nationality are "oppressed" in Wales, by being forced in some parishes to take their choice between a Welsh service and none at all; and one or two sufferers did invoke the aid of Parliament, not to abolish the Welsh service, but to allow the English to have a service of their own. But so dead are we English people to the sacred rights of our nationality and our Fatherland, that it was very difficult to keep forty members together to discuss the subject.[1] They do not take privation in the matter of sermons so easily in Slesvig. There is something exquisitely humorous in the tragic tone in which this sermon-grievance is dwelt upon by the German members of the Slesvig Estates:—

"The religious services in the above-named parishes are to be held alternately in Danish and in German, although in most of the parishes scarcely any of the inhabitants understand a Danish sermon, but all understand well a German sermon. It is a notorious fact, therefore, that on the Sundays when a Danish sermon is preached, the church is almost always empty. Here is an instance of a grievous oppression of a whole population as to the use of the native German language."

Happy are the people whose grievances are such as these! It is necessary, in order to avoid forming too mean an opinion of the mental calibre of the Slesvig Estates, to keep in view the vista in the background—the German fleet riding in the harbour of Kiel.

[1] [The reference is to the English Church Services in Wales Bill passed in 1863. A division was challenged on the third reading, and the numbers were: For the Bill, 38; against, 0.]

The language grievance has been kept chiefly for popular use. It has furnished an endless topic of declamation to platform orators and pamphleteers; but the official organs of the movement have been somewhat sparing of its use. It is possible that a recollection of certain passages in the history of Hungary and Posen have suggested to Austrian and Prussian statesmen some misgivings as to the expediency of laying down any broad, general principles concerning the treatment due to the language of a minority.[1] The point which the official assailants of Denmark have chiefly urged is the alleged "incorporation of the Duchy." There is no question here about the promises of Denmark. Again and again, in the plainest language, was the pledge given that Slesvig should not be incorporated with Denmark. But there is a great deal more difficulty in proving that the pledge was ever broken. The interminable character of this dispute, and the disastrous consequences to which it threatens to lead, are owing in no small degree to the singular vagueness of the principal term employed. "Incorporation" is a mere metaphor, and has no precise or technical meaning whatever. If these unhappy engagements of 1851–52 had been put into the form of a regular treaty, the word would have been more closely defined. As it is, we have to search for its definition by a process analogous to that which a law-court would apply to an eccentric will, or an Act of Parliament that

[1] [Up to the year 1859, the official language in Hungary was German, though only about 10 per cent. of the population belonged to that race. The grievance was one of the causes of the Revolution of 1848–49. In Posen the Poles were, at this time, to the Germans as eight to five. But the language for all official and educational purposes was exclusively German.]

had been much battered in Committee. What Denmark has actually done with respect to Slesvig is this: she has preserved to her a local Legislature, local tribunals, and a special Executive. On the other hand, Slesvig elects members to a general Congress or Rigsraad, which decides upon those questions which concern Denmark and Slesvig equally. Holstein and Lauenburg did the same, until Germany required that votes should be assigned to them out of all proportion to their population, and except upon this condition refused to permit their entry into the common constitution. Now the question is whether the possession of a local constitution for its own affairs, combined with a participation in a common constitution with Denmark for common affairs, amounts to an incorporation of Slesvig with Denmark. For that is the precise position assigned to the Duchy by the Charters of 1854–55, and preserved to it by the Constitution of last November. The question may be answered, in the first place, by looking abroad. The link which, according to the recent Constitution, unites Austria and Hungary is exactly of the same nature. Is Hungary on that account incorporated into Austria? It is precisely the tie which unites Ohio and Pennsylvania. Would it be correct to say that Ohio was incorporated into Pennsylvania? Even in the constitution of the Germanic Confederation itself a proof might be found that the combination of a local constitution for local matters, and a common constitution for common matters, does not imply the incorporation of the communities which take part in the common representation. But a more conclusive argument may be drawn from the very documents under which this promise

"not to incorporate" arises. The promise was given in the correspondence of 1851–52, which we have so often quoted. That correspondence abounds in passages that distinctly contemplate the very combination in which the present tie of Slesvig to Denmark consists. The following passage from the Austrian despatch is conclusive upon the point:—

"The Danish Cabinet may convince itself that we are very far from wishing to stipulate for the unaltered and permanent preservation of the institutions of the Provincial Estates in the Duchies. On the contrary, we acknowledge the full legitimacy of the endeavours (by proper modification or enlargement) to adapt the existing political institutions of all the parts of the monarchy to the organization of the collective state to be established in the future upon Conservative principles."

It is idle, in the face of paragraphs like this, to pretend that the connection of Denmark and Slesvig, by the tie of a common constitution for purely common affairs, so long as the business special to each is managed separately, can be construed into an incorporation in the sense in which it is prohibited under the Austrian despatch.

The Constitution of November 18, 1863, has been vehemently objected to by Germany as tending to incorporate Slesvig; and, as we write, it is doubtful whether it will not be selected by the Diet as the pretext for war with Denmark. But so far as the question of incorporation is concerned, it stands upon precisely the same footing as the Constitution of 1855. Both agree in the principle of administering common affairs by a common constitution, and provincial affairs by a provincial

constitution. The chief difference between the two is that the Rigsraad or Central Legislature consists now of two chambers instead of one. No change is made in the relative powers of the Rigsraad and the Provincial Estates. We do not mean that the Germans are talking mere nonsense when they raise an outcry against the recent law. They have a very distinct meaning; but they do not like to express it in distinct language. They do not object to a common constitution as such. But they object to a common constitution from which Holstein is excluded, because, of course, under such a constitution Germany has lost her hold over Denmark. It is their own fault that Holstein is shut out: for they will not allow her to enter in except upon condition that the German few shall govern the Danish many. But they quarrel with the exclusion of Holstein, because it is the formal mode of withdrawing Denmark from German intrigue and German domination. The constitution of last November proclaims and ratifies the exclusion of Holstein, which the Diet has practically forced upon the Danish Government; and therefore it is that that Constitution is received with such especial indignation. But all these objections, whatever their value, have nothing at all to do with Denmark's promise not to incorporate Slesvig. The question whether B is, or is not, incorporated into A, cannot possibly be affected by the fact that C has been excluded from the combination.[1]

[1] It is curious that this plan of cutting off Holstein entirely, and combining Slesvig with Denmark upon the plan of separate Legislature for local affairs, and a common Legislature for common affairs, was actually proposed to France and Russia by Lord Russell in April, 1861; and so favourable to Germany did he think it, that he further proposed to reward Denmark for accepting it by offering

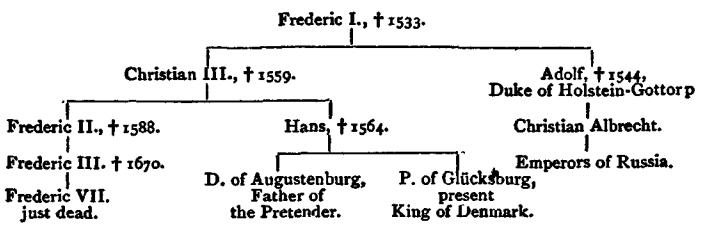
Such, then, are the materials of this stormy and complicated dispute. They are resolvable into one issue—whether the German is or is not to be master of the Dane, and of all the maritime advantages which the Dane possesses. This is the one end to which all the various pretensions of Germany tend, and it is the only aim which is in the least degree adequate to explain the unscrupulous vehemence with which these pretensions have been urged. That Holstein and Lauenburg should be represented in the common Rigsraad which governs the monarchy; that they should be represented there in a strength out of all proportion to their population; that without this condition being granted, no organization of the monarchy should be permitted; all these conditions are necessary to the result at which German patriots frankly confess that they are aiming. That the Danes should voluntarily abrogate their independence; that they should put their necks under a dominion which would crush out their nationality, and reduce their liberties to the level of Prussia or of Hesse, is not to be expected. The quarrel, therefore, is not one of misunderstanding, or which is likely to be appeased by compromise. It is that perpetual form of quarrel which, in its nature, is irreconcilable, and which must always exist between those who wish to conquer and those who desire not to be conquered—between those who mean to eat and those who are averse to being eaten.

to her a *guarantee* of Slesvig. Yet now that Denmark has done this for herself it is treated as an atrocious breach of her engagements, a just cause of war, and an excuse to Austria for breaking her treaty pledges.

But yet this heap of combustible elements might have lain harmless for a considerable time, if no accidental spark had fallen on it. Though Federal execution had been decreed for some years—ever since 1858—and though the power of the National Verein was increasing year by year, yet the efforts of England might have sufficed still to defer the catastrophe indefinitely. Unluckily, just at the height of the crisis, when the new law for modifying the Constitution of Denmark and Slesvig had just passed the Rigsraad, King Frederic VII. died; and, to make matters worse, he died without male issue, and his death raised a most complicated and difficult question of succession. There is a fate attending the Danish monarchy, which collects round every question that concerns it, every perplexity which the most unlucky concurrence of fortuitous circumstances could bring together. The Slesvig-Holstein question, as it existed a year ago, was confused enough; but it is left far in the shade by the complication which the intricacies of the feudal law, the undefined results of its abolition, and frequent changes of boundary, of constitution, and of tenure, in the territories under consideration, have heaped upon the question of the succession.

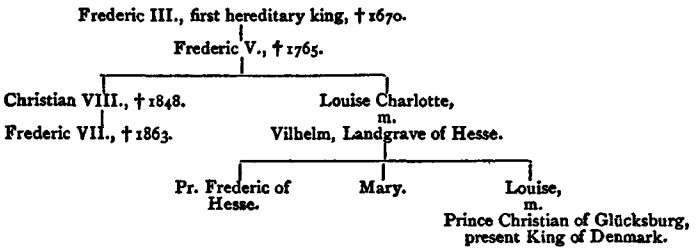
The simple statement of the case is in favour of the Duke of Augustenburg; but, like most simple statements, it is exceedingly misleading. Frederic I., who died in 1533, had two sons, Christian and Adolf; Christian had two sons, Frederic and Hans; Adolf had one son, Christian Albrecht. Now these three grandsons of Frederic I., viz. Frederic, Hans, and Christian Albrecht, were the progenitors of the lines with which we have to do. From Frederic came the royal Danish line, which in the person of

Frederic VII. is just extinct, as far as male heirs are concerned. From Hans came two lines, that of Augustenburg, the eldest, and that of Glücksburg, the youngest. From Christian Albrecht came the House of Holstein-Gottorp, that is to say, the present Imperial House of Russia. To put the case into the shape of a pedigree it stands thus—


Frederic I., † 1533.
Christian III., † 1559.
Adolf, † 1544, Duke of Holstein-Gottorp
Frederic II., † 1588.
Hans, † 1564.
Christian Albrecht.
Frederic III. † 1670.
Emperors of Russia.
Frederic VII. just dead.
D. of Augustenburg, Father of the Pretender.
P. of Glücksburg, present King of Denmark.

It is quite clear that, on ordinary principles of male succession, the line of Frederic II. failing, the eldest branch of the line of Hans, that is to say, the Duke of Augustenburg, has the right to succeed to the crown of Denmark. But there are some very material points which take this out of the category of ordinary cases. In the first place, the Crown of Denmark was not hereditary till a very modern date. In earlier times it was elective. It did not become hereditary until the year 1660, in the reign of Frederic III., that is to say, a good century after the line of the Augustenburgs branched off. When it was made hereditary, a law of succession (called the *Lex Regia*) was also passed; and by its provisions female heirs of Frederic III. could inherit the throne as soon as the male succession was exhausted. The title of the Augustenburgs to the throne of Denmark is therefore worthless, for two reasons. First, because when their progenitor branched off, the throne was not hereditary;

secondly, because the line of Frederic II. is not extinct, inasmuch as under the *Lex Regia* females may inherit. Under these circumstances the pedigree of the Royal Danish line stands thus—



Under the female succession, therefore, established by the *Lex Regia*, Prince Frederic of Hesse was clearly the heir to the throne of Denmark. But he renounced his rights, and his sister Mary did the same. The crown, therefore, inevitably fell to his second sister, Louise. She renounced her rights in favour of her husband, and Prince Christian of Glücksburg is accordingly the present King.

So far there is no difficulty. But did the *Lex Regia*, *i.e.* the law admitting the female succession, apply to the other parts of the monarchy—to Slesvig, to Holstein, and to Lauenburg? Concerning Lauenburg there ought to be no question, for it was annexed to the crown of Denmark by the Treaties of 1815-16, and follows that crown, by whatever law of inheritance it descends. But, concerning Slesvig and Holstein, the complication is much more serious. The chief difficulty is that at the time this *Lex Regia* was passed—1665—Slesvig and Holstein were neither of them in their entirety a part of Denmark, and therefore, it is said, could not be subject to a law made for Denmark. Up to

the Peace of Roeskilde, in 1658, Slesvig was a fief under the Danish crown, half held by the King, half by the Duke of Holstein-Gottorp. In that year an arrangement was made, by which each half of the fief was converted into an independent sovereignty. After some intermediate vicissitudes the Duke of Holstein-Gottorp's half was conquered by the Danish King, and the whole of Slesvig was solemnly united to the Danish crown in 1721. How did that formal union affect the succession of Slesvig? Did it leave Slesvig under its old Salic law,[1] or did it introduce the Danish *Lex Regia*, the law of female succession? The Duke of Augustenburg of that day took this latter view, and swore fealty to the "King and his Royal successors, according to the tenor of the *Lex Regia*." But the Duke of Augustenburg of the present day repudiates his great-grandfather's oath, and claims—or did claim—to succeed to Slesvig according to the Salic law. But what has become of the Dukes of Holstein-Gottorp in the mean while? Though ousted of their portion of Slesvig by force of arms in 1713, they did not renounce their rights till 1773, and then they renounced them in favour of the King of Denmark and his successors. It may therefore be plausibly argued that, if Slesvig ceases to be held by a King of Denmark, the claims of the Duke of Holstein-Gottorp, that is to say, of the present Emperor of Russia, are revived.[2]

[1] What the old law of Slesvig was has been much disputed; but we assume the German view for argument's sake.

[2] This interpretation may be questioned, as the act by which the Emperor Paul renounced his share in Slesvig is not so clearly worded, as that by which he renounced his share in Holstein. But it is as tenable as any other; and quite tenable enough for the Czar to adopt if he thought fit.

The difficulty in the case of Holstein is stronger still. When the German empire was dissolved in 1806, and Holstein ceased therefore to be a fief, the King of Denmark of the day, having it entirely at his disposal, united it to Denmark by Letters Patent, and declared it to be "henceforth an unseparated part of this monarchy." It may be argued that by that act it became subject to the Danish law of succession. But, if the opposite view be taken, and it be assumed that Holstein retained the Salic law of succession, which had applied to it while it was a fief, the difficulty then arises that the various portions of the Duchy could not be held together. Large portions of the present Duchy upon the western frontier, comprising one-fifth of its inhabitants, and including Altona, did not form part of the Duchy till they were united to it by those same Letters Patent of 1806. They were not fiefs at all at that time, but allodial possessions of the Danish crown, and therefore tied to it, to whomsoever it might descend. On the other hand, the renunciation by Paul of his territories in Holstein, as Duke of Holstein-Gottorp, was very distinctly made only to the male descendants of Frederic V.; so that unless the Duchy changed its character by the events of 1806 and 1815, it is quite clear that Kiel and the larger part of the Baltic shore of Holstein would fall to the Emperor of Russia. The Duke of Augustenburg, therefore, and those who claim through him, are placed in this dilemma—either the Duchy of Holstein was united to Denmark by the events of 1806 and 1815 in such a manner that it assumed Denmark's law of succession, or it remained subject to its old laws in that respect. In the first case, the Duke of Augustenburg would

lose Holstein altogether; in the other case, he would have to take it minus Altona and Kiel, and with Russia for a next-door neighbour.

The prospect of this tangle of disputes being brought to a practical issue convinced the Great Powers that it required an European intervention to fix upon some plan of succession to the Danish crown which should not expose the integrity of the monarchy to risk. Accordingly, it was resolved to fix upon Prince Christian of Glücksburg. His wife (after her brother's and sister's renunciation had been obtained) was the unquestionable heir, under the *Lex Regia*, to Denmark proper, and probably to Slesvig. He himself, as a descendant of Christian III., stood high in the male succession; and most of those who stood before him had been guilty of treason in 1848, and had rendered themselves liable to the forfeiture of all their rights. Accordingly, renunciations were obtained from Prince Frederic of Hesse, from his sisters, from the Emperor of Russia, and, finally, from the Duke of Augustenburg himself, who of course had fled the country. For this, and for the cession of all claim to his estates, which was of small value to him as he had forfeited them by rebellion, he received a sum of rather more than £400,000.[1] In consideration of this enormous indemnity, he made the following promise:—

"We moreover promise, *for us and our family*, by our princely word and honour, not to undertake anything whereby the tranquillity of his Majesty's dominions and lands might be disturbed, nor in any way to counteract the resolutions which his Majesty

[1] It is a curious coincidence that the Prussian Plenipotentiary at Frankfort, who negotiated this renunciation with the Duke of Augustenburg, was Herr von Bismarck.

might have taken, or in future might take in reference to the arrangement of the succession of all the lands now united under his Majesty's sceptre, or to the eventual organization of his monarchy."

In the vocabulary of the Duke of Augustenburg it is to be presumed that the word "family" does not include sons; for it is his son who is now revolutionizing Holstein under the wing of the Federal army. It is right to say that the Duke's son has protested against the above renunciation. It is also right to add that he kept his protest to himself till six years after the deed had been signed and the money paid. The protest was issued on the 15th of January, 1859.[1]

The requisite renunciations having thus been obtained, the Treaty of London[2] was drawn up and signed. It is simply worded, and contains no other stipulations than that the Powers will recognize Prince Christian and his male descendants as successors to succeed to the whole of the states then under the sceptre of the Danish king.[3] They do

[1] Parl. Corr., 1861, p. 82.

[2] [May 8, 1852.]

[3] "Les Hautes Parties Contractantes s'engagent d'un commun accord dans le cas où l'éventualité prévue viendrait à se réaliser, à reconnaître à S. H. le Prince Christian de Slesvig-Holstein-Sonderbourg Glücksburg. . . . le droit de succéder à la totalité des états actuellement réunis sous le sceptre de S. M. le Roi de Danemark." The words "s'engagent d'un commun accord," are important, as showing that the treaty is mutually binding between each and all, and not merely between each and the King of Denmark. It has been alleged, in defence of the German Powers, that they are released from the Treaty of London, because Denmark has broken the promises made in the Correspondence of 1851–52. We have shown in detail that that assertion is wholly without foundation. But even if it were true, it would be irrelevant. The Treaty of London was not a treaty between Austria and Prussia on

this on the ground, alleged in the preamble, that "the maintenance of the integrity of the Danish monarchy, being connected with the general interests of the equilibrium of Europe, is of high importance for the preservation of peace." The treaty is in the names of the Emperor of Austria, the Prince President of the French Republic, the Queen of England, the King of Prussia, the Emperor of Russia, the King of Sweden, and the King of Denmark. Other states were subsequently invited to accede; and Saxony and Hanover, among others, consented.

The case foreseen has come to pass. The male line of Frederick III. has died out. In conformity with the treaty, France, England, Russia, and Sweden have at once recognized Prince Christian as his successor. Austria and Prussia hang back. They are not shameless enough openly to repudiate their plighted word, but they refuse to keep it. They will not recognize King Christian, though as yet they have abstained from recognizing the Pretender. Saxony and Hanover, overjoyed at being allowed to play a conspicuous part of any kind, be it ever so ignominious, loudly proclaim that they are not only willing, but eager, to dishonour the faith that they have pledged. Meanwhile, the great mass of Prussian and Austrian Radicals, with that curious indifference to morality which is characteristic of sentimental politicians, are furiously calling upon their Sovereigns to enter upon the same dishonest course. They do not trouble themselves to

the one side, and Denmark on the other. It was a treaty between each and all of the Powers that signed it. Austria is as much bound by it to England as to Denmark; and England was in no way concerned in the Correspondence of 1851-52.

argue. "The London Treaty," says Von Sybel,[1] "is *contra bonos mores* . . . it proposes to rivet a German population to the poisoned chain of Danish rule;" and therefore, by the light of this convenient standard of "good morals," he proposes to break the faith which Prussia has solemnly pledged, and in which for twelve years past she has suffered us implicitly to believe. This habit of political repudiation appears to be ingrained in Prussian politicians. Along with his conquests and his glory, Frederick the Great has left them also the disastrous legacy of his treachery. Like most mere imitators, they follow chiefly the defects of their model, and overlook its beauties. There is little enough in their recent history of his military prowess, or his political sagacity; but of his unblushing perfidy, of his cynical contempt for pledges given and treaties signed, they are admirable copyists.

The conduct of the Diet has been a curious medley of illegalities. When the administration of the affairs of Holstein was separated from that of the rest of the monarchy, the Diet complained that by that act the promise not to incorporate Slesvig had been broken; though the institutions of Slesvig, and its relations to Denmark Proper, remained unaltered. To resist this alleged breach of an engagement that was unquestionably international, the Diet threatened to proceed, not by war—which is the mode in which nation exacts redress from nation—but by Federal Execution, which is nothing but a measure of internal government. The constitution

[1] [1817–1895. The well-known historian. He was also an extreme National Liberal politician, and sat in the Reichstag for Bonn from 1861.]

of the German Bund is so anomalous that no exact parallel to its conduct can be found; but this proceeding is somewhat the same as if, England having cause of complaint against France for some breach of the Treaty of Commerce, the English Government were to obtain a verdict against the Emperor in the Central Criminal Court, and levy a fine upon the money he holds in the English Funds. After the Diet had made this threat, the King of Denmark died; and his successor—whose title for Lauenburg at least was unquestionable—announced his accession to them, and claimed that his plenipotentiary should be admitted to their sittings. They refused to acknowledge him; but, having done so, they proceeded to act as if they had acknowledged him. If they had recognized some other claimant in his place, it would then have been competent for them to convey to him their demands, and to order execution if those demands were disobeyed. But they neither acknowledged King Christian nor any one else; and yet, while they were thus assuming that the throne was empty, and that there was no Duke of Holstein, they ordered Federal Execution in Holstein because the Duke of Holstein had not complied with their demands. In fact, they have taken measures professedly to force the King of Denmark to fulfil his Federal obligations, having previously declared that there was no King of Denmark in existence. But this is not the worst confusion of which they have been guilty. Having occupied Holstein, to force the King to fulfil his Federal obligations—for that is the meaning of an Execution—they assumed the government of the Duchy temporarily until their demands had been complied with; and then,

holding the government under this tenure, they proceeded to give to a Pretender facilities for setting up a revolution under their protection.[1] These strange irregularities are chiefly of importance as showing that the German Diet of the present hour is no regular Government moving by strict legal rules or traditional principles of policy. In fear of revolution it has yielded itself up to be the instrument of popular passion, and its acts are inspired by a spirit not its own. Austria and Prussia would fain guide it into the path, if not of honour, at least of comparative safety. But the influence which their voices usually exert is lost in a moment such as this. One of those tempests of popular madness to which Germany is especially liable is sweeping over the land. No habits of self-government, no natural leaders are at hand to moderate the frenzy of ignorant enthusiasm; and the Sovereigns of the smaller States, despots in quiet times and cowards in revolution, are bending in abject terror to the storm. What may be the issue a few months, or even a few weeks hence, it is impossible to say; but at the present moment negotiating with Germany is negotiating, not with a Confederation of regular Governments, but with an angry mob.

There is so far method in the German madness, that the excitement is wildest in some of the smaller States which are tolerably safe from punishment. Their wisdom in trying to precipitate a conflict in which, individually, they can hardly lose, and may possibly gain, may perhaps be justified by the

[1] [The Duke of Augustenburg entered Holstein just after the Federal authorities and proclaimed himself Duke of Schleswig-Holstein.]

event. Saxony, for instance, will probably in any case reverse the fate of Francis I., and escape with everything except her honour. But it is not easy to understand how any reflecting men in the larger States can blind themselves to the danger upon which they are rushing. Germany has no friend on any frontier. All around her are lying enemies covetous of some possession that belongs to a German crown, and only waiting for an opportune moment to attack. The first sign that the lengthy Danish controversy was drawing towards actual war has brought out a proclamation from Garibaldi to the Italians,[1] and from Kossuth to the Hungarians.[2] Russia is probably in no mood to forgive Austria the base of operations which the Poles have found upon the Galician frontier;[3] and the Servians will have little affection for the staunch upholders of the Ottoman Empire. The hardihood of an Austrian statesman, who is eager to bring on war upon the Eyder, has something in it of antique grandeur. With the Quadrilateral to defend against an enthusiastic nation flushed with victory—with Hungary fretting and writhing under martial law—with a credit but just beginning to revive, taxation strained to the uttermost, and a large yearly deficit —with all these burdens to support, Austria sends her army to the extreme North to fight the Danes,

[1] [Urging Victor Emmanuel to march against Austria for the conquest of Venice and Illyria. The *Times*, January 5, 1864.]

[2] [It was dated December 24, 1863, and demanded Hungarian independence "of the detested yoke of German domination." The *Times*, January 4, 1864.]

[3] [The main body of the Poles was at first in the district of Radom, and it was said that they obtained arms and ammunition from Galicia, which at the same time afforded them a secure retreat in case of serious defeat.]

and throws down the gauntlet to England, France, and Russia. But Austria will not be the only sufferer. On the left bank of the Rhine lie provinces of Bavaria and of Prussia, which for half a century have been at once a temptation and a reproach to France. They offer a prize to ambition, and at the same time they suggest memories of humiliation and hopes of revenge. The Sovereign who should re-unite them to the French Empire would build his dynasty upon a foundation which neither Liberal nor Legitimist could shake. They are already half-French in laws, and more than half-French in sympathy. They would be easy for the French to conquer; and the barrier of the Rhine would make it difficult for the Germans to regain them. Nothing is wanting but a pretext upon which, without too great a sacrifice of character, the treaties which sever them from France may be torn up. There seems to be no doubt that the Emperor is arming; and the condition of French politics pressingly requires that, by some gain of territory or of fame, he should recall the wavering affections of his people, and wipe out the memory of Mexico.[1] Every symptom combines to indicate that if the opportunity should come, it will not be thrown away. The Germans comfort themselves with the few fair words he cast to "his cousin" the Pretender. In his present passive, and almost friendly bearing —if the power of reasoning were left to them—they should read their greatest danger. Nothing would

[1] [The French expedition to Mexico failed to take Puebla on May 5, 1862, and had to retreat to Orizaba. After large reinforcements had been sent from France, Mexico was occupied; but the whole affair was felt to be inglorious, and contributed to the ill success of the French Government at the elections of 1863.]

be more fatal to his plan than to betray it by a premature movement. When the Germans have fairly plunged into war, and have renounced the protection of public law by shamelessly breaking it themselves, then his time will have come. Till then his policy is, by absolute quiescence and occasional hints of friendly sentiments, to fool them into security and into war.

And what will England do? It is a question that concerns us deeply; but it is humiliating to be obliged to confess that it is one with which the Germans do not trouble themselves much. Of the true policy of England there can be little doubt, for it has been upheld by statesmen of all sides in every age. As the greatest of commercial Powers, she can never suffer the highway of nations to fall into hands that may close it. The Sound, the Bosphorus, and the Straits of Gibraltar, the Isthmus of Suez, and the Isthmus of Darien, must never be subject to the will of a first-rate Power. Therefore, it is against the policy of England that Denmark should become the dependency of Germany. It is, of course, not possible to forecast the political form into which the seething mass of German populations will ultimately crystallize. But one of two alternatives may be safely predicted of the destiny of Germany as a European Power. Either the present subdivision which neutralizes her natural resources will cease, and she will become one of the most powerful Empires in the world; or else—a far likelier issue—the present enthusiasm will exhaust the energies of a people so unpractical, without leading to any definite result, and Germany will fall back into her old condition, more divided, more stagnant, more impotent than before, and more

helplessly the slave of Russia. In either case it is not for our interest that Denmark should fall into her hands. It must never be forgotten that if King Christian IX. does not inherit Holstein, the claims of Russia—set aside by the Protocol of Warsaw only in his favour—revive in all their force. If, as Germany earnestly desires, the Danish King should cease to be Duke of Holstein, the Emperor Alexander is the indisputable heir of Kiel.[1]

But Denmark has a stronger claim upon our support than any motives of mere self-interest can furnish. It was at the instance of England, more than of any other Power, that the Treaty of London was signed. It is not a treaty of guarantee, and therefore, in strict law, we are not bound. But a treaty so recent, so distinctly pointed at the contingency which has just occurred, cannot be lightly abandoned. If we refuse to stand by this engagement, which we took so large a share in negotiating, we may for the future spare ourselves the needless pastime of signing treaties altogether. Already our power to uphold the public law, which we take so prominent a share in making, is subject to doubts that are not flattering to our national pride.

[1] The Protocol of Warsaw, signed previous to the Treaty of London, after reciting that the renunciations of the Emperor Paul were only made in favour of the male descendants of Frederic V., and declaring that the Emperor of Russia was then prepared to renounce his eventual rights in favour of Prince Christian of Glücksburg, goes on to provide "That inasmuch as the renunciation of his Majesty the Emperor would have for its object to facilitate an arrangement called for by the first interests of the Monarchy, the offer of such a renunciation *would cease to be obligatory if the arrangement itself should fail.*" The *Journal de St. Petersbourg* has just reprinted the Protocol of Warsaw, without note or comment.

Lord Russell's fierce notes and pacific measures furnish an endless theme for the taunts of those who would gladly see the influence of England in the councils of Europe destroyed. The vigorous protests that have issued from the Foreign Office in the matter of Savoy, and of Poland, and of the American blockade,[1] combined with the meek submission that invariably follows them, have caused the conviction to prevail extensively in Europe that, however she may write, England will never fight with any State that is able to defend itself. In the Eastern or the Southern seas, where there is no enemy that can resist her, she can still show her ancient prowess. She can exhibit great decision in Brazil, and burn down defenceless towns with wonderful vigour in Japan.[2] But there is no danger that she will ever allow her martial ardour to betray her into any step more dangerous than a ferocious despatch, when she is confronted with an adversary of anything like equal strength. This is the character of us which any reader of foreign journals or foreign debates may find repeated with still less flattering comments, whenever the probable policy of England comes under discussion. It cannot be denied that the conduct of Lord Russell has given but too much point to these sarcasms. Even in this Danish matter, the fickle and trimming character of his policy has won for us little respect, and has destroyed the influence we might have previously possessed. When Denmark

[1] [Against the annexation of Savoy by France and the "paper blockade" of the Southern ports by the United States, the British Government protested but took no further steps. As to Poland see Essay on "Foreign Policy."]

[2] [See Essay on "Foreign Policy."]

seemed in earnest, and Germany comparatively lukewarm, Lord Russell was a strong Dane. In return for a separation of Holstein precisely in the form in which it has been since effected by the constitution of last November, he volunteered, if the other Powers would consent, to guarantee Slesvig to Denmark. Shortly afterwards the aspect of the political horizon darkened. Germany became fearfully in earnest, and there was no doubt that if she was in earnest, Germany was the strongest Power. Lord Russell's views underwent a salutary change. He became a decided German; and, in testimony of his conversion, he sent to Denmark a proposal that she should reduce her Constitution to the concurrent action of four independent Diets, and that, to make everything work pleasantly with Germany, she should bring down her army and navy to the lowest possible point. The proposal was of course received with delight by Germany, and rejected with scorn by Denmark. It is hardly necessary to recall to the memory of the English reader, the unexampled insolence of the language in which this suicidal project was urged upon the acceptance of Denmark.[1] There can be little doubt that the tone of that unfortunate despatch has largely contributed to bring about the present crisis It encouraged the belief, now popular on the Continent, that England is always upon the strongest side. Such vagaries have naturally produced that contempt of our power or our courage

[1] [On September 24, 1862, Lord Russell made the proposal mentioned, and on November 20 he sent a further despatch urging its acceptance. In that despatch, among other things, he suggested "that the Danish Government had not sufficiently reflected on the evils of their present position," and referred to certain replies of the Danish Government as "insufficient and illusory."]

which the Germans have universally expressed, and upon which they are evidently acting.

But there is a stronger reason still why it will not consist with our honour to abandon Denmark. Unasked by her we have thrust upon her advice, by which her powers of self-defence will be seriously crippled if war should unhappily break out. At our request she has retreated from strong positions,[1] which she might have held, and has foregone the opportunity of inflicting upon the ill-commanded troops of Germany a defeat, which would have gone far to cool that fervent patriotism which has selected Denmark from among all other lands in which Germans are held in subjection, because Denmark seemed the easiest prey. Such a policy binds us in honour as much as any guarantee. If we prevail upon a weak State, to whom we profess to be friendly, to abandon its sole and its best chance of resistance against an adversary of overwhelming numbers, we are bound to take upon ourselves the hazards of that advice. Denmark is but a weak State to struggle against the unwieldy, but still huge, enemy that menaces her independence. She needs every aid that chance, or promptitude, or strategical advantages can give her. If, in deference to our officious counsel she foregoes these aids, and then, abandoned by us, is crushed in the unequal conflict, a stain, which time could not efface, would lie upon England's honour. It is base to abandon the weak in the moment of their utmost need, and in the presence of a gigantic

[1] [It was at the suggestion of Great Britain that Holstein was evacuated by the Danes who would there have had to meet only Federal troops commanded by a Saxon General. The later fighting was with Austrian and Prussian troops commanded by a Prussian.]

assailant. But there is a deeper baseness far in the wordy friendship, which, implying the promise of aid, without formally pledging it, beguiles the weaker combatant into a fatal trust in his ally, and then deserts him.

Happily in this case, as in most others, the policy of honour is also the policy of peace. The care with which the Germans have selected the weakest State upon their frontier for the exhibition of their irrepressible patriotism, shows of what metal it is made. The magnificent sentiments they are parading, the exhortations to courage, the appeals to the German honour, would be in place if they were undertaking to free Alsace from France, or Livonia from Russia. Their zeal for German nationality, if it appears to us hot, is at least invariably safe. Once convince them that the raid on Denmark is not safe, and the excitement will subside with a marvellous rapidity. If, by timid language and a false love of peace, Germany is encouraged to believe that she can set treaties at defiance with impunity, a Continental war will result, in which it is almost impossible that England should not be forced to take a part. Let Germany see distinctly that war with Denmark means war with England, and the Governments that are now weakly yielding will draw courage to free their subjects from the imminence of a greater danger. But promptitude and courage are above all things necessary. In every portion of Europe the combustible materials lie scattered ready for the match. If they are kindled into war, no human power can set bounds to the conflagration, or predict the limits of its rage. Upon the action of England, who alone desires peace, the continuance of peace depends.

FOREIGN POLICY

PREFATORY NOTE

THIS essay appeared in April, 1864. It deals with questions of Foreign Policy which had arisen with regard to Brazil, Japan, America, Poland, and Denmark.

The Brazilian and Japanese questions are so fully discussed that nothing can be usefully added here on those subjects.

In America the Civil War had been raging since 1861. After the battle of Gettysburg (July 2-4, 1863) victory more and more inclined to the side of the North; though Southern sympathizers in Europe still refused to believe that the Confederate States would ever rejoin the Union.

In Poland the insurrection was practically crushed, and the Poles had ceased to exist as a separate nation.

With regard to the Danish Duchies, Germany, since the date of the preceding essay, had demanded the withdrawal of the Constitution of November, 1863. Denmark, at the instance of England, gave an undertaking that the Constitution should be withdrawn. The undertaking was not, however, accepted, and no time was given for the Danes to take the necessary steps to carry it out. Prussia and Austria announced, in January, 1864, that they intended to deal with this question for themselves independently of the Diet. Accordingly, on Feb. 1, 1864, a Prussian force invaded Slesvig, and the Austrians shortly afterwards did the same. The Danes resisted the invasion in the hope that Europe, and especially England, would interfere to save them. But no such interference took place, and the German forces in several combats obtained an easy victory. Slesvig was occupied, and even a part of Jutland was invaded. After the date of this essay a conference of the Powers met in London, and attempts were made to restore peace. The attempts failed, and eventually the whole of Slesvig, as well as Holstein and Lauenburg, was wrested from Denmark, and the three Duchies have now become part of the German Empire.

The following authorities were prefixed to the essay:—

1. Brazil. Correspondence laid before Parliament. London. 1863.

2. Correspondence respecting affairs in Japan. London. 1864.

3. Correspondence respecting the insurrection in Poland. London. 1863-64.

4. Denmark and Germany. Correspondence. London. 1864.

FOREIGN POLICY

WHATEVER differences may exist as to the policy which this country ought to have pursued in the various conflicts by which Europe and America have been recently disturbed, few will be found to dispute that she occupies a position in the eyes of foreign Powers which she has never occupied before during the memory of any man now living. We have been brought up to believe that England's voice is of weight in the councils of the world. Our national pride has been fed by histories of the glorious deeds of our fathers, when single-handed they defied the conqueror to whom every other European nation had been compelled to humble itself. Resting upon these great deeds of past days, we have borne ourselves proudly in our dealings with other countries, speaking in the tone of those who have proved by action the weight and significance of their words. Until recently the rank we have thus assumed has been accorded to us readily. In spite of reduced armaments and of the predominance of the Quaker interest in our councils, the authority of England remained for a long time undiminished. Those who remembered the Great War refused to believe that England could not make good her threats or her promises if she thought fit; and, therefore, her representations in

many negotiations of deep European moment were listened to with respect. Whatever the language in which they were couched, whatever the wisdom of the statesmen from whom they came, foreign Ministers never forgot that they were backed up, in case of need, by the fleet that had baffled Napoleon and the army that had fought at Waterloo.

But this condition of things has lamentably changed. No one can be in the least degree conversant with the periodical literature of foreign countries, or hear ever so little of the common talk of foreign society, without being painfully aware that an entire revolution has taken place in the tone of foreign thought in regard to the position of England. Her influence in the councils of Europe has passed away. The reputation of material power upon which that influence was based has suddenly evaporated. It now fails to make even the faintest impression upon States that formerly yielded themselves absolutely to its spell. Our diplomatists are at least as active as they were at any former time. Their vigilance is as keen, their interference is as incessant, their language is bolder and far more insolent than it was in better times. But the impulse is gone which gave it force. That appearance of warlike power which used to give dignity to its imperious tones no longer imposes upon its hearers. Its vehemence of language falls dead and impotent upon minds penetrated with the conviction that the storm which is assailing them is nothing but words—brave words possibly, but still only words. The language of speakers and writers out of doors faithfully echoes the views that guide the statesmen of foreign Cabinets. Englishmen

were, perhaps, never very popular on the Continent. Satirists and wits have always amused themselves with caricaturing the somewhat angular peculiarities that mark our national character, and the portrait was seldom flattering. But still the reproaches expressed or implied were of a kind that is not very difficult to bear. Pride, uncouthness, foolhardiness, form the staple of the sarcasms levelled at us by foreign writers. Undue roughness and violence were the mark at which they were aimed. They were derogatory rather to our claims to the polish of civilization than to any more sterling qualities. Sometimes other blots were hit—our supposed perfidy, our selfishness, our shopkeeping propensities. But, whatever else was said of us, no one ever thought of impugning an Englishman's courage. If the Great War had done little for our popularity, it had at least left deeply graven on the minds of Continental populations that we could fight. But all this is changed now. All the respect for our national character which was founded upon a belief in its bull-dog characteristics has disappeared. Our courage is not only disbelieved, but it is ridiculed as an imposture that has been found out. English bravado and English cowardice are the common staple of popular caricatures. The Englishman furnishes to Continental wits the same sort of standing butt that the Yankee presented to us some three years ago. The estimate of the English character that is felt in every circle and class of society abroad, and expressed without reserve by the press, may be summed up in one phrase, as a portentous mixture of bounce and baseness.

It may be worth while for those who are the subject of such a change of view to investigate its

causes. However satisfied we may be that it has no just foundation in any real alteration of the national character, our repute with other nations cannot be a matter of indifference to us. We will set aside the feelings which may be supposed to have inspired a Castlereagh or a Chatham. Such ideas may seem antiquated now, or, at least, unsuitable for an era of octogenarian statesmanship. But, upon the least ideal and most commercial views, it is not convenient to be despised. The defence of a high reputation is, after all, a cheap one. A nation which is known to be willing, as well as able, to defend itself will probably escape attack. Where the disposition to fight in case of need is wanting, or is dependent upon some casual and fleeting gust of passion, the political gamblers who speculate in war will naturally be inclined to invest in the venture of aggression. The policy which invites contempt seldom fails to earn a more substantial punishment. It is rarely permitted to take refuge in the cynical adage that hard words break no bones. Contempt is soon followed by open insult, and insult meekly borne draws injury quickly after it. And there is a point where injury becomes intolerable, and even the most submissive must turn. Indifference to reputation seems the cheapest and easiest policy while it is being pursued; but it only deserves that character until the limit of tameness has been reached. The time must come at last when aggression must be resisted, and then, when it is too late, the expensiveness of a name for cowardice forces itself upon every apprehension. We shall enter, therefore, without any fear of being suspected of unduly martial prepossessions, upon a brief examination of the foreign policy by which

the Government have brought the fame of England to the condition in which it now finds itself. We fervently desire peace; but we desire it in the only way in which it can be had. Peace without honour is not only a disgrace, but, except as a temporary respite, it is a chimera.

The reasons of this change in European opinion towards us, so humiliating to our feelings, so dangerous to our security, are not difficult to find. Large bodies of educated men are not often entirely wrong in their judgments, though the truth in them is mixed up with error. Our critics abroad are mistaken in believing that the character of the English people is changed from what it was in times that are now historical. The inhabitants of these islands are as sensitive to the preservation of their honour and as keen to resent any insult passed upon it as they have been at any previous period. And yet it is not the less true that our policy has really borne the character which has been affixed to it abroad. It has been essentially a policy of cowardice. This word is often loosely used, and, in a mere invective, may only be the imputation with which an opponent tries to blacken a policy of moderation. We have no intention of using it in so lax a sense. A policy of moderation is one to which no Christian man could raise an objection; and there are few countries bound over in such heavy securities as this to do its duty in that respect as a Christian nation. But a policy of moderation and a policy of cowardice, though often confounded in the angry strife of words, are in reality easily distinguished by those who do not wish to confound them. Consistency is the simple test that will unerringly separate true moderation

from its base counterfeit. Courtesy of language, a willingness to concede, a reluctance to take offence, if they are impartially extended to all, will always, even when they are carried to excess, command respect and admiration. In the same way, a tribute, partly of fear, partly of honour, will always be paid to the combativeness that has no respect of persons. It is only when the two qualities of heroism and meekness are cunningly combined that they earn unmitigated contempt. There are occasions when the reproach of cowardice must be employed even by those who have the most earnest horror of bloodshed. If the word has a meaning, it is applicable to a policy which, according to the power of its opponent, is either valiant or submissive—which is dashing, exacting, dauntless to the weak, and timid and cringing to the strong.

That these are no exaggerated charges against the policy which has been recently pursued a brief retrospect will suffice to show. It will be unnecessary to go far into the past, or to enter into any detailed narration. We will not go back so far as Don Pacifico,[1] or even to the story of Sir John Bowring and the lorcha *Arrow*;[2] we will not enter into such small matters as the bombardment of Tringanu,[3] or the burning of Epé,[4] or the

[1] [A British Jew who in 1850 made an exorbitant claim on Greece for losses in a riot. The claim was pressed by Palmerston, and a number of Greek ships were seized to enforce payment.]

[2] [The *Arrow*, a Chinese vessel flying the British flag, was in 1856 seized by the Chinese for piracy. Bowring, our representative at Hong Kong, failed to get the redress he asked, and caused Canton to be bombarded.]

[3] [In the Malay peninsula. It was bombarded in November, 1862, to hasten the expulsion thence of a certain ex-sultan Mahomet, accused of turbulence and hostility to this country.]

[4] [On the west coast of Africa. It was burnt in February,

dismantling of the Ionian Islands,[1] though these are all cases of recent occurrence. It is not necessary to examine every manifestation of the one pervading spirit; we shall content ourselves with gathering a few prominent cases of either kind into two groups, so that we may exhibit our Government in both its characters to the best advantage. It will be found that each picture throws the other into relief, and brings out its details more clearly. It is impossible to do full justice to the Foreign Secretary in his heroic mood, unless we study him in his Christian aspect as well. It is impossible, until we have heard him roar like a lion in the Southern or the Eastern Seas, to feel all the tenderness of his lamb-like bleating at home.

We will take him first in the heroic vein. Two typical cases have occurred within the last eighteen months illustrative of the mode in which we deal with the smaller class of Powers—those, that is to say, like Brazil or Japan, whose force is utterly incommensurate with ours, and whose resistance we could crush, not only without danger, but without any appreciable addition to our estimates. Our intercourse with such Powers may be fairly looked on by foreign critics as displaying the disposition and spirit of our Government in its plain undisguised reality. A man's genuine character comes to light only when all prudential restraints are removed. You never can tell from a man's demeanour in society whether he is a domestic

1863, to punish a local chief, Possoo, for levying duties in British territory.]

[1] [It was part of the arrangements for the cession of the Islands in 1863 that the fortifications should be dismantled. The Ionian politicians strongly objected.]

tyrant or not. A bullying schoolboy is admirably behaved in the presence of his master: a martinet colonel is often only known at head-quarters by his attractive and obliging manner. Men are apt to apply the same rules to the judgment of nations, and to believe that in their dealings with communities that cannot resist them the true national character peeps out. It is probably on this account that a good deal of attention has been directed abroad to the difficulties we have had with Brazil and Japan; and on the same ground they have created a corresponding uneasiness in the minds of all who are tender of England's reputation at home.

The dispute with Brazil was twofold. It commenced with a quarrel upon the subject of a wreck. A vessel was stranded in a gale of wind upon the sandy shore which forms the coast line of the southern extremity of Brazil. The coast opposite which she was wrecked was a wild and desolate country. It was a narrow tongue shooting out southwards from the main body of the vast empire of Brazil, and stretching between the Republic of Uruguay and the sea. The coast was inhospitable; its scanty population was rude and barbarous; and the proximity of the unguarded frontier offered a ready refuge, and therefore a powerful stimulus to crime. The population naturally became wreckers. The same set of conditions have produced the same result all the world over. At all events, it is not for us, with Cornwall, Kerry, and the Bahamas in our recollection, to affect surprise at such a consequence. Chiefly, it appears, on account of the evil reputation which attached to this population, the English Consul on the spot persuaded himself that this wrecked English vessel had been plundered

and the crew murdered. The evidence on which he relied was not in itself very convincing. There were some indications of plunder. A Bible and some empty packing-cases were found in the house of the chief landed proprietor in the district. It was said that they were picked up on the beach, but of course it was possible that they might have been stolen from the wreck. Some chests, uninjured by the sea, were also found upon the beach. The crew were lost, and only four bodies were recovered. An inquest was held upon them, and the verdict returned was that they had been drowned; but, of course, it was possible that the verdict was false, and that the sailors might have been murdered. It was said that some other bodies had been seen, but when the Consul came down only these four were to be found. The reason given was that the sand, which drifts in large masses upon that flat coast, had buried them, so that it was impossible to discover them again. This might have been true; on the other hand it might, of course, have been a falsehood, designed to conceal the fact that they had been made away with. This was the whole of what could be called evidence on the subject. There was besides a surmise on the part of the Admiral at Rio, who never came down to the spot at all, but merely decided upon the reports of the Consul, that the fact that a certain boat was discovered in a certain position was an evidence that the crew, or some of them, had contrived to reach the shore in safety. But beyond these vague indications there was not a particle of evidence. None of the cargo of the vessel was found, which, as she was laden with iron and soda, and was wrecked a considerable distance from the land, was not on the whole

surprising. It is quite clear that on such a state of facts it would have been almost impossible, even in England, to have procured a conviction against anybody. Of the crew, whom the Consul alleged to have been murdered, there was only four corpses found, and they, on judicial inquiry, were decided to have been drowned. It is quite evident that an indictment for murder would have broken down in such a case. But all the difficulties of the case were seriously enhanced by the neighbourhood of the wild frontier of Uruguay. It was hard enough to make out a charge, but it was a good deal harder to find any one against whom to make it. The Consul contrived to build up, out of the materials we have described, a case of faint suspicion that a crime had been committed, and a wretched enough case it was. But he never even suggested a criminal. It was manifest that if a crime had been committed the perpetrators of it were safe in some one of the wild republics that line the tributaries of the River Plate. It is not too much to say that when there is only a half-proved crime, and no criminal at all, the necessary materials for prosecution are seriously defective. The best system of criminal jurisprudence in the world would have been baffled. It is needless to say that the Brazilian, which, being founded on the Portuguese law, is not one of the best, was hopelessly impotent. The Consul, and the Minister at Rio, and the Central Government did their best to quicken its operations, but, as there was neither evidence nor culprit, its footsteps were slow, and it never advanced to anything more conclusive than two or three resultless interrogatories.

Great allowance must of course be made for the feelings of disappointment with which the owners

of the wrecked ship and the relatives of the missing seamen received the intelligence that the legal proceedings in the Brazilian Courts were being protracted from month to month without any practical issue. And the English Foreign Office were undoubtedly justified in urging that every measure should be taken which it was possible for the Executive to adopt for the purpose of accelerating their progress. But it is clearly absurd to lay down that every State with which you have dealings shall come up to your own standard in the certainty and the promptitude of the punishment of crime. It is not so long since the New Police was extended to our own rural districts that we can afford to go to war with every Power that is not blest with so efficient and so ubiquitous a force. It may be comparatively easy to patrol little countries like England or France; but it is simply ridiculous to insist that a control equally effective shall be maintained over the outlying and sparsely populated regions of a colossal empire like Brazil. For a time this reasonable view appears to have prevailed in the English Foreign Office. Lord Russell happened at that juncture to be abroad. It was the autumn when he was beguiling the tedious evenings of his hotel at Gotha by writing that celebrated despatch[1] which was destined to plunge central Europe—and perhaps more than central Europe—into war. Mr. Layard[2] was in charge of the Foreign Office; and so long as Lord Russell remained abroad there was

[1] [The despatch of September 24, 1862, referred to at p. 146. Lord Russell had gone to Gotha as Minister in attendance on the Queen.]

[2] [1817–1894. After his return from the East he became, in 1852, a Liberal M.P. and Under-Secretary for Foreign Affairs; which office he again filled from 1861–1866.]

no indication in the English despatches of the storm that was gathering over the head of unfortunate Brazil. But in due course of time Lord Russell returned. If one were to judge simply from his published correspondence, we should gather that the suavity of his temper had not been improved by his residence abroad. However, if it had not been for an unlucky coincidence, his wounded feelings might have had time to heal, or they might have found some other outlet. This unlucky coincidence was the so-called insult offered to three officers of Her Majesty's ship *Forte*.

The details of this case are sufficiently well known to spare us the necessity of going into them at any length, and it is a task which we shall willingly abridge. No Englishman can recount the circumstances which brought his country to the verge of war, for a cause of offence so apocryphal and so paltry, without feelings of mortification and shame. The facts are shortly these :—Three officers —two midshipmen and a chaplain—of H.M.S. *Forte* went out from Rio for an excursion into the country. In the afternoon they dined at a country inn and drank some liquor, of which the amount has been the subject of some controversy. On their return they are said to have given unmistakable evidence that their hearts were gladdened within them by the good fare of which they had partaken. To this imputation they raise a loud demur, and the dispute is one which it is not easy to decide. On the one hand, one of the well-known phenomena of the happy condition which is ascribed to them is a profound conviction on the part of the subject of it that he is perfectly sober—a conviction which even takes the form of believing

that every one else is drunk. On the other hand, Portuguese manners are apt to be stiff; and a Portuguese, not well acquainted with our sailors, may not improbably have imagined that the jovial ways of Jack ashore could only be imputed to an artificial cause. Be that as it may, they travelled on their road until they came to a certain guardhouse on their way to Rio, and at this guardhouse they found a sentry. What passes between gentlemen who have dined and the guardians of the public peace is always a matter of some dispute; and in this instance the usual uncertainty is complicated by the fact that the Englishmen could speak no Portuguese, and the sentry could understand nothing else. The Englishmen's account of the matter is that the sentry came up to them, and that thereupon they asked him a civil question, and that he forthwith knocked one of them down with the butt end of a musket. The sentry's account of the matter is that they came up to him flourishing a stick in his face, and making an uncomplimentary remark about his trousers—which appear to be the sore point of a Brazilian soldier—and that he took them up because they tried to take hold of his legs and throw him over the parapet. It is obvious that he misunderstood them; for if they could not speak Portuguese at all, it is quite clear that they could not have observed intelligibly to him upon his trousers. But it was a mistake that was very likely to occur, and one that if it happened in Europe no Government would dream of treating seriously. The temporary incarceration of an Englishman in a foreign country who could not speak a word of the language, in consequence of some mistaken suspicion on the part of a subordinate officer, is not a

very uncommon incident of travel. The three officers in this case were not in uniform; they had nothing to indicate that they differed from ordinary Englishmen except that one of them wore some naval buttons, to which he declares that he directed the attention of the officer on guard. The officer, however, was not learned in buttons, and no light seems to have been thrown upon his mind by the study of these ornaments. Accused of intoxication, and unable, for the best of reasons, to give a good account of themselves, our heroes were locked up. But their sorrows were not of long duration. They obtained writing materials and contrived to communicate with the English Consul; and as soon as their rank was explained to the authorities by somebody who did understand Portuguese, they were released at once. In forty-eight hours from the time of that rustic dinner which brought them into so much trouble, they found themselves safe on board the *Forte* again.

We are happily spared the necessity of inquiring whether any offence was given to the British Government in the course of this ridiculous adventure. The matter has been decided before a thoroughly competent tribunal. After hostile measures had been taken, the British Government, made somewhat more reasonable by the arrival of the Parliamentary session, consented that the case should be referred to the arbitration of the King of Belgium. King Leopold, no hostile arbiter, examined into the case and gave his solemn decision that no offence had been intended or had been given to the British navy. The language he employs disposes of the whole case so completely, that it is worth extracting:—

"Considering that it is in no way shown that the origin of the conflict was the act of the Brazilian agents, who could not reasonably have had motives for provocation:

"Considering that the officers at the time of their arrest did not wear the uniform of their rank, and that in a port frequented by so many foreigners they could not expect to be believed on their mere word when they declared that they belonged to the British navy, while there was no outward sign of their rank to support their declaration; that consequently, once arrested, they ought to have submitted to the existing laws and regulations, and had no right to require any treatment different to that which would have been applied in similar circumstances to all other persons: . . .

"Considering that the functionary who caused them to be released ordered their release as soon as he possibly could, and that in acting thus he was prompted by the desire to spare these officers the disagreeable consequences which, in conformity with the laws, must necessarily have been entailed upon them from any further steps taken in the matter:

"We are of opinion that in the mode in which the laws of Brazil have been applied towards the English officers there was neither offence, nor premeditation of offence, to the British navy.

"Done and given in duplicate, under our royal seal, at the Palace of Lacken, the 18th day of June, 1863.

"(Signed) LEOPOLD I."

Such are the merits of this case, ascertained upon indisputable authority. It remains to be seen what treatment it received from the British Government before it was referred to arbitration. It is necessary to bear in mind the decisiveness and the strong wording of King Leopold's award in

order to appreciate rightly the character of the measures we are about to describe. It is evident the British Government had no case at all: they had not a shadow of a grievance. Unless it was to be admitted that British officers, undistinguished by any of the insignia of their rank, were at liberty to set at defiance the laws of any country in which they might deign to set foot, it is manifest that the officers of the *Forte* were not only not injured, but received less than their deserts. Such would no doubt have been the view of the case taken by Lord Russell if he had had a strong Power to deal with. But Brazil is a weak Power, and the course that was pursued towards her is instructive.

We have already observed that as long as the difficulties with the Brazilian Government were confined to the question of the wrecked ship, the language of the Foreign Office was moderate. They pressed for further inquiry; but they used no menace, and made no unjustifiable demands. The last of these more moderate letters was dated August 30, 1862. That was shortly before the time at which Lord Russell undertook that pleasant excursion to the cheerful hotel at Gotha, of which all Northern Europe is now smarting under the effects. But during the month of September, and the first week in October, while this happy rustication in a small German *Residenz* was in progress, the intelligence of this appalling outrage upon the majesty of the British navy arrived in Downing Street. A sudden change sweeps over the tone of Lord Russell's despatches. Something, no doubt, must be allowed for the irritating effect of extraneous circumstances of mortification over which the Government of Brazil had certainly no control.

But still it is impossible to doubt that if Lord Russell had had Russia, or France, or America to deal with, he would have proceeded with greater courtesy and caution. He did not wait for a moment to investigate the circumstances of the case. He did not even write to demand an explanation. He did not propose that the question should be submitted to arbitration. He accepted at once, in its most exaggerated form, the statement of the three young officers, and sat down without delay to write a despatch in his most hectoring style to the English Minister at Rio. It was not till October 6, 1862, that he received the full details of the case of the *Forte*, and on the 8th he fulminated two furious missives. The first concerned the case of the wrecked ship, though it is evident that the sudden vehemence of tone in which it was conceived was due to the other matter. It contained a demand for compensation for the plunder of the ship, but, at the same time, an offer to refer the question of the amount of compensation due to an arbiter. But the whole fury of the storm broke upon the head of the Brazilian Government in the second despatch of the same date, which concerned the affair of H.M.S. *Forte*. In this despatch Lord Russell explains the terms on which he is prepared to overlook the offence which the Brazilian Government had given—an offence of which King Leopold has taught us to estimate the reality. Lord Russell's terms were as follows :—

"Her Majesty's Government cannot submit to have such an outrage unatoned for, and you will therefore embody the foregoing remarks in a note to the Brazilian Government, warning them at the same time of the serious light in which Her

Majesty's Government have viewed the case, and you will demand:—

"1. That the Ensign of the Guard be dismissed from the service.

"2. That the sentry who commenced the attack shall be adequately punished.

"3. That an apology be made by the Brazilian Government for this outrage on British naval officers; and

"4. That the Chief of the Police and the official at the Rio police-station be adequately punished.

"I shall acquaint you by another opportunity with the measures which Her Majesty's Government propose to take, in the event of the Brazilian Government refusing to comply with these demands."

Demands such as these, on account of an outrage which was absolutely ideal, were more than even a feeble state like Brazil could be expected to endure. They could not punish their own officers for doing what was simply their duty, in order to satisfy the arrogant demands of an overbearing foreigner. Is it not humiliating to compare this despatch with the solemn judgment of the King of the Belgians given some months later; and to reflect that these demands, so violent, so haughtily preferred, advanced without even an apology for investigation, coupled with no offer of arbitration, were founded on a grievance that was a simple fiction? The demands were, of course, not complied with; and the Minister, under Lord Russell's directions, at once proceeded to hostile measures. The ships of a number of peaceful traders plying from the port of Rio were seized one fine morning without notice or warning, and carried off under the guns of a British fleet. The Brazilian Government, overmatched by

the naval superiority of England, yielded at once. It consented to pay whatever might be demanded for the wrecked ship, and proposed to refer the matter of the officers of the *Forte* to arbitration. The proposal reached England when Parliament had already assembled, and the manifest temper of the two Houses deterred Lord Russell from renewing the arrogant freaks of the autumn. The arbitration was accepted, and, as we have shown, its result was to establish that there was no shadow of a ground for the insolent demands we have quoted.

Now, what would be the conclusion which an unprejudiced spectator would naturally draw from these proceedings as to the character of Earl Russell and the Government he represented—supposing him always to be ignorant of any other portions of their foreign policy? He would infer that theirs was a character of the most martial and pugnacious type. They would seem to him hasty, perhaps, and ferocious; but still endowed with the virtues which belong to such a character, impetuous and dauntless, and regardless of consequences where honour was at stake. Such would be the impression which the Brazilian affair, taken by itself, would leave upon his mind. Let us lay the picture to heart, and turn to another scene.

Few countries are less similar to each other than the closely populated islands of Japan, inhabited by an ancient and unmixed race, and the huge continental empire of Brazil, sparsely occupied by a thin population of mixed African, Red Indian, and European blood. But for the purposes of the English Foreign Office they have certain material features of resemblance. Both of them have

qualities which fit them to furnish a field on which the warlike and heroic side of the policy of the present Government may be displayed. They are feeble Governments ruling over a rich country. Their trade is valuable enough to excite the cupidity of European merchants, while their force is insufficient to resist a European fleet. Such a combination is attractive to a Government like that of England at this moment, that is forced to shape all its foreign and all its domestic policy with a view of picking up stray votes in the House of Commons. The opportunity is most fascinating of coming forward at once as the champion of the British merchant and of the British flag—of uttering endless flourishes about *Civis Romanus*—and running all the while no risk of defeat nor even of embarrassing expenditure. Japan presents this union of advantages in a high degree; and therefore Japan has been much honoured with the attention of Downing Street in recent years.

Our first introduction to that country in modern times was in the negotiation—some have called it the extortion—of a treaty,[1] which was concluded by the Government of the Tycoon, without the usual constitutional sanctions, against the known feelings of a large number of the most powerful families, and against the inveterate prejudices of all the population who were not actually engaged in the trade of the seaport towns. It was in truth, for many of its provisions, about as valuable an instrument as a treaty with the Emperor of Germany, to which his chief feudatories objected, would have

[1] [The first treaty was made with Admiral Stirling in 1854, and the Tycoon who concluded it was murdered. The second was made with Lord Elgin in 1858.]

been six hundred years ago. Actual commercial facilities at a certain number of ports were concessions which it was in the power of the Government to secure. But there were others which its authority was unavailing to guarantee. Two provisions of this class have been pushed conspicuously forward by the events that have since taken place. One of them was the residence at Yeddo, and the other was the right to travel for a distance of twenty miles from the open ports. Both were needless. One had been exacted as a mere point of dignity; the other had been asked for in order to supply the British merchants with a cantering ground after office hours. But both were profoundly distasteful to the ruling classes of Japan. That the foreigner should set foot in Yeddo was to their minds as terrible a profanation as it would be to a Mahometan pilgrim to see the Giaour in his holy city. The right to travel upon the great inland roads was objectionable on other grounds. The frequent journeys of the Daimios or great lords to and from the capital are—or till lately were—an important part of the Japanese constitution. The expense of travelling to and fro with the immense retinues these potentates were forced to maintain was enormous; and it served to paralyze the political power which their vast wealth would otherwise have given them. Consequently, the passage of these great nobles with vast retinues was a constant occurrence upon the roads that led to the capital. The undisciplined, irregular soldiery that composed them were the wildest and most savage portion of the Japanese population. A foreigner was as unsafe among them as a tithe-collector in the south-west of Ireland forty years ago, or as a

drunken man, worth plundering, would be in Whitechapel at midnight now.

However, little enough of all this was known to the English at the moment when they forced their unwelcome commerce on Japan. These and other conditions were exacted and were freely granted by the Ministers of the Tycoon. The wrath of the Daimios, and the subsequent complications that loomed on the horizon, were more distant dangers than the fleet which had just awed into submission the huge empire of China. Mutual congratulations were exchanged, the new treaty was sent home, and it was proclaimed with a loud flourish of trumpets, that Japan was at last open to European civilization. But the difficulties remained, nevertheless. The Japanese did not like our commerce; and the conduct of some of our merchants, who treated them as if they were a conquered race, was not calculated to make them like it more. The feeling was especially hostile among the armed retainers of the great Japanese families, who naturally represented the warlike and anti-foreign element in the empire. Attempts to assassinate the foreigners began to multiply, especially in the capital. There was no proof or ground for suspecting that the Government were implicated in these outrages. On the contrary, they themselves were exposed to attacks of the same kind on account of the concessions, new to the history of Japan, which they had made to the foreigners. At last the capital became untenable; and the Ministers of foreign Powers were compelled to withdraw. But it was not until the old hatred between the natives and the foreigners had been stimulated to such a point that both Government and nobles had lost the power of

restraining their people. By a certain portion of them the slaughter of foreigners came to be looked upon as a religious act, which a man might profitably devote his own life to perform. On some of those by whom Englishmen were assaulted were found papers, in which the assassin set forth the holy intentions with which his enterprise was undertaken, in order that if he fell his motives might not be misconceived.

It was in such a condition of things that an act of incaution was committed by one of our countrymen, from which deplorable consequences have arisen. The road between Yokohama, a treaty port, and Yeddo was, as we have said, opened to foreigners for a certain distance; but it was also the road along which the Daimios were in the habit of travelling with their huge armies of retainers. On the days when one of the Daimios was expected, it was the custom of the Japanese Government to warn the foreigners at Yokohama of the fact, that they might avoid the road for that day. One day, unluckily, either the Government despatched their information too late or their messenger was too slow, or for some other reason, the announcement that one of the Daimios was expected did not reach the English Consul till the middle of the day on which he was to pass. Before the warning could be given a Mr. Richardson, with a party of friends, had started for a ride upon the perilous road. He had not gone far before the expected *cortége* appeared in sight—a long military line of more than a thousand men. It seems to be the rule that all who meet one of these Daimio processions must get out of the road, as a mark of respect. Mr. Richardson either did not know the

etiquette, or he determined to assert his rights as a true-born Briton, and to disregard it. On came the *cortége*, the Daimio in his litter in front, and behind him a long column of armed retainers—not apparently all belonging to his clan, for three different cognizances were noticed upon their coats. Mr. Richardson stood his ground, or at least only drew up upon one side, going on at a foot's pace. Half the line passed him without taking any notice; but as the centre part of the procession swept by a half-naked ruffian rushed out from the ranks and barred the way. Then, and not till then, the party turned their horses' heads and fled. At the moment they were turning the same man struck at Mr. Richardson and wounded him mortally. The party spurred their horses into a gallop. As they sped along several lance-thrusts and sabre-cuts were aimed at them; but no one was struck mortally except Mr. Richardson. Before they had reached a place of safety he fell from his horse dead, and they were compelled to leave him behind. There is a vague story that he afterwards revived, and was finally put to death by some other swordsmen who came up. But it rests purely upon the statement of a Japanese woman, who neither knew him nor his assailants, and her evidence was taken by persons whose familiarity with her language was open to some question.

The Japanese Government were evidently much distressed at this terrible occurrence. They gave the best proof of it by laying out a large sum of money to prevent its recurrence. They immediately erected a series of guard-houses along the road, to be held by their own troops, in order to furnish a refuge to foreigners who might be attacked; and

they commenced at once the construction of a new road, so that the necessity for the Daimios and the foreigners using the same road should no longer exist. They further made efforts to catch the murderers, and there is no evidence that those efforts were anything but strenuous and sincere. Now what, under these circumstances, was the English Government to do? In Europe, in such cases, it is not usual to throw the responsibility upon the Government of a country where a crime is committed, unless the officers of the Government itself have been implicated in the affair. Plenty of English subjects have been lynched in the United States, or taken by brigands in Italy, or murdered in other countries, without producing any diplomatic collisions between the English and the foreign Government. General Haynau was nearly mobbed to death by the drunken draymen of Bankside;[1] but no pecuniary satisfaction, no apprehension of unknown delinquents, has been demanded from Vienna. If a Frenchman got his throat cut in St. Giles's, or a German emigrant was shot by a bush-ranger in Australia, the dignitaries of our Foreign Office would be very much surprised if they were to receive an indignant despatch and a claim for compensation from the Governments of Paris or Berlin. But even upon the ground of the precedents we ourselves have established in our dealings with weaker Powers, such as Greece or Brazil, they could only demand the punishment for the offender

[1] [An Austrian general notorious for his severity in Italy and Hungary. In September, 1850, he came to London, and on visiting the brewery of Barclay and Perkins he was mobbed by the draymen all down Bankside, being at last rescued by the police. No one was punished.]

if he could be caught, and a moderate compensation for the families of the sufferers. There is no sort of precedent for any demand beyond this. We have never ventured to address a demand even so strong as this to any Power of equal strength; and we have certainly never submitted to any such claim ourselves. A precisely similar case had occurred to the Russians, who do not usually sin on the side of moderation. A Russian naval officer and two men had been attacked and killed in the very streets of Yokohama. The Russian commander demanded compensation and the execution of the murderer. But when the assurance was given to him that the murderer should be executed as soon as he could be caught, he naturally expressed himself contented.

But Lord Russell was resolved to go far beyond this. It was soon after he had sent the fire-eating orders to Brazil to have an officer of the guard dismissed for his ignorance upon the subject of buttons; and his hand was in. He wrote to the Consul as follows:—

"You are instructed to ask as reparation from the Japanese Government—

"1. An ample and formal apology for the offence of permitting a murderous attack on British subjects passing on a road open by treaty to them.

"2. The payment of £100,000 as penalty on Japan for this offence.

"Next you will demand from the Daimio Prince of Satsuma—

"1. The immediate trial and capital execution, in the presence of one or more of Her Majesty's naval officers, of the chief perpetrators of the murder of Mr. Richardson.

"2. The payment of £25,000, to be distributed to the relations of the murdered man.

"If the Japanese Government should refuse you the redress which you are thus instructed to demand, you will inform thereof the Admiral or Senior Naval Officer on the station, and you will call upon him to adopt such measures of reprisal or blockade, or both, as he may judge to be best calculated to attain the end proposed.

"If the Daimio Satsuma should not immediately agree to and carry into effect the terms demanded of him, the Admiral should go with his own ship, and with such others as he may think fit to take with him, or he should send a sufficient force to the territory of the Prince. The Admiral or Senior Naval Officer will be better able to judge than Her Majesty's Government can be, whether it will be most expedient to blockade this port, or whether it will be possible or advisable to shell the residence of the Prince.

"I have also been informed that the Prince of Satsuma has steamships brought from Europe, of considerable value. These might be seized or detained till redress is obtained."[1]

The present Government are perpetually urging on Parliament that their policy is based upon the golden rule of doing to others as they would that others should do to them. Did they ever try to apply their golden rule to the Japanese? If so, we must believe that if the Japanese Ambassadors had been garrotted in the streets of London—no unlikely occurrence—and if our admirable police had failed to catch the garrotters—a contingency still less improbable—that then Lord Russell would have thought it perfectly just that England should have had to pay £125,000; and that if it was found

[1] Despatch, Dec. 24, 1862.

impossible ultimately to catch the garrotters, that then Osborne should have been bombarded, and the Queen's yacht taken in pawn. Every one knows that Lord Russell would not have thought it just. His practical reply to all such comparisons is, "Væ victis!" Japan is the weaker Power, and therefore England is not ashamed to mete out a measure of justice to Japan which she would think it intolerable that any other nation should mete out to her.

The sequel is well known. The unhappy Satsuma could not execute his criminal for the same reason that Mrs. Glass could not cook her hare. Before you can execute your criminal, it is necessary to catch him. The murder in question was not committed upon Satsuma's ground. There was no proof that it was the act of one of Satsuma's men. It was undoubtedly a relative of his that was at the head of the line of march; but among his followers three several devices were seen, and only one of those was Satsuma's. But considerations of this kind do not distress Lord Russell much when he is launching his thunders against a safe opponent. Without stopping for a moment to inquire whether the culprit was one of Satsuma's men, or whether, if so, he was known to Satsuma, or whether he was within Satsuma's jurisdiction, Lord Russell decided that that Daimio must be summoned, under pain of being shelled, to execute him forthwith. Accordingly the British Consul and the Admiral steamed down to Kagosima, where Satsuma's residence was, and required him within four and twenty hours to consent to the immediate trial and execution of the murderers. The Daimio himself happened to be absent; but his Minister returned the answer which

most Ministers would have returned under the circumstances. But that it is expressed in courteous language, it probably does not differ from what Lord Russell himself in a similar position must have written:—

"It is just that a man who has killed another should be arrested and punished with death, as there is nothing more sacred than human life; and although we should like to secure the murderers, as we have endeavoured to do since last year, it is impossible for us to do so, owing to the political differences existing between the Daimios of Japan, some of whom hide and protect such people; and besides this, the murderers are not one but several persons, and therefore find easier means of escape. . . . If, therefore, we can detect the offenders in question, and after examination find them to be guilty, they shall be punished, and we will then inform the commanders of the men-of-war at Nagasaki, or at Yokohama, in order that they may come to witness their execution. You must therefore consent to the unavoidable delay, which is necessary to carry out these measures."[1]

But the English Consul would consent to no such delay. He acted as if he had desired, not the arrest of the murderers, but the opportunity of glorifying the English name by an appalling act of revenge; and the full approval of his conduct, which he subsequently received from Lord Russell, shows that he knew the master whom he served. Another day passed, in the course of which the Ministers of Satsuma came off to have a verbal conference with the Consul and the Admiral. Of the style in which this conference was conducted by the English

[1] Jap. Pap., p. 95, 1864.

authorities, an idea may be formed from the following specimen extracted from their report of it :—

"*Admiral Kuper:*[1] The settlement of this matter can no longer be delayed. Kagosima is at my mercy; hostilities once commenced, the town would be destroyed; and I shall stop your trade both here and at the Loochow Islands.

"*Colonel Neale:*[2] Such is not our wish: but if you compel us to do so, it will be your own fault.

"*Japanese:* We will report all this.

"*Admiral Kuper:* You must remember that we are one of the first nations in the world, who, instead of meeting civilized people, as you think yourselves, in reality encounter barbarians.

"*Japanese:* We cannot discuss these subjects; but we will report all this to our Government.

"*Colonel Neale:* Evasion or delay can no longer be submitted to.

"(*Japanese rise to leave.*)"[3]

The Japanese probably thought that if this was a specimen of Western civilization, the less they had of it the better. The interview took place late in the evening. Early the next morning the Admiral commenced hostilities. He attempted to cut out some steamers belonging to the Prince. The Japanese batteries opened fire; the English ships returned it, and bombarded Kagosima; and the upshot was that two days later the Consul was able to write in a tone of genuine satisfaction—"The

[1] [1809-1885. He entered the Navy in 1823, was in the Chinese War, 1840-41, and had been Commander-in-Chief in China since 1862.]

[2] [Lieut.-Colonel Neale, C.B., was our Consul and Chargé d'Affaires in Japan. He was shortly afterwards promoted to Ecuador, where he died in December, 1866.]

[3] Jap. Pap., p. 99.

operations were attended with complete success. . . . The fire, which is still raging, affords reasonable ground for believing that the entire town of Kagosima is now a mass of ruins."[1] The sequel is instructive. The object which Lord Russell professed to have in view—the execution of the murderers—was never attained, even with all his violence. If ten Kagosimas had been burnt to the ground, Prince Satsuma would have been unable to bring the murderers to trial, until he had performed the preliminary operations of catching them. Three months later Colonel Neale was compelled to make the humiliating admission that, with the best intentions, the Prince of Satsuma was in no condition to find the murderers; and that it was, therefore, idle to insist upon an impossibility.

These two cases furnish very fair specimens of the nature of English foreign policy towards the weakest Powers. In principle it is overbearing, exacting, pushing every right to the extremest limit; and where the very existence of a right is doubtful, cynically throwing the sword into the balance. In execution these principles are carried out with no diplomatic courtesy; and with no consideration of the feelings or the wounded honour of those to whom they are applied, but rather with an ostentatious insolence. It is throughout a tone by which the weak are made to feel their weakness —to drink the bitter, bitter cup of inferiority to the very dregs. Admiral Kuper's observation to the Japanese Ambassadors admirably expresses the attitude generally adopted by the English Foreign Office, whom he was serving, to every weaker Power with whom they may come into collision:

[1] Jap. Pap., p. 97.

"You must remember that we are one of the first nations in the world, who, instead of meeting civilized people as you think yourselves, in reality encounter barbarians."

This is of itself not a character which the English people will be gratified to learn that they have acquired. But it becomes still less satisfactory when we come to consider the other qualities by which it is supposed to be accompanied and set off. Bullying the weak is not an amiable characteristic; but whether it is to be looked on simply with dislike or with bitter contempt depends upon whether it is reserved exclusively for the weak. If we take towards other Powers, such as America, or Germany, or Russia, the same strong measures to enforce a respect for treaties, or a respect for the *Civis Romanus*, that we have taken towards Japan, then, of course, the worst that could be said of us would be that we are an irritable, tetchy nation, whom many people might hate, but with whom few would care to meddle. But if the truth should be the reverse of this—if our insolence should not be universal, but discriminating, and our bluster only strong upon the stronger side—if we have suffered the rights of British subjects to be set at nought with impunity in New York, while they are asserted with reckless precipitation in Brazil—if we allow the treaties that have been made with us to be trodden under foot in the United States, and in Russia, and in Germany, while we vindicate them with unreasoning violence in China and Japan—if the habitual menace which constitutes our diplomacy is followed up with peremptory ferocity in dealing with weak Powers, and abandoned timidly in the face of strong ones—then language is scarcely rich

enough to express the scorn with which our pusillanimity will be branded, not only by the contemporaries whom our arrogance has irritated, but by the passionless doom of history.

America may fittingly engage our attention first. It is not very often that precise parallels can be drawn between two different cases of diplomatic action, for no two sets of events ever resemble each other quite accurately. But it so happens that one of the questions that have formed matter of correspondence between the English and Federal Governments during the last two years, corresponds in some of its leading circumstances with the case of the midshipmen of H.M.S. *Forte*, to which we have referred. The correspondence is, of course, only general, but it is sufficient to exhibit the difference of spirit in which British subjects are defended against a Government that possesses military resources, from that which is shown in dealing with a Government that is defenceless. It must also be remarked that we do not select this case because it is by any means the worst of those in which the Foreign Office has shown a pusillanimous spirit in its dealings with the United States, but merely because its extreme simplicity facilitates a comparison.

The case was this:—Mr. Shaver was a Canadian, a British subject, and a descendant of American Loyalists. It is possible that his descent did not make him very friendly to the Federals, or cause him to find favour in the eyes of the United States officials. He had never lived outside Canada, but he was an agent of the Grand Trunk Railway, and in the performance of his duties he occasionally visited Detroit, in Michigan, which is just across

the frontier. One fine day he was pounced upon by a United States marshal, carried off, and thrown into a dungeon at Fort Lafayette. He wrote to the British Consul and the British Minister at Washington. No charge was alleged against him—no warrant shown for his committal. The only ray of hope that was offered to him was a proposal that he should be released on the condition that he, a British subject, should take the oath of allegiance to the United States. The remonstrances of Lord Lyons[1] were without avail. The only reply to them which Mr. Seward[2] would vouchsafe was that Mr. Shaver had been engaged in carrying revolvers to the rebels, and had acted as a spy in their behalf—offences which, at Detroit, many hundred miles from the nearest Confederate outpost, did not constitute, even if it had been just, a very serious imputation. But it rested on no sort of evidence except Mr. Seward's assertion, and it was strenuously denied by the unlucky prisoner himself. No redress, however, was to be obtained. Lord Russell was absolutely silent. The polite notes addressed to Mr. Seward by Lord Lyons received only a rough reply. At last, after three months of illegal imprisonment for no offence of which even a vestige of proof was offered, an oath was tendered to him that he would not hold any correspondence with persons residing in the Confederate States, or enter into any of them, or do anything hostile to the United States. Such an oath Mr. Seward had no sort of right to extort. It was attempting to control

[1] [1817–1887. Our representative at Washington 1858–1865, at Constantinople 1865–1867, and at Paris 1867–1887.]

[2] [1801–1872. American Secretary of State under President Lincoln and his successor.]

the acts of a foreigner at a future time when he should be resident under a foreign jurisdiction. But there was no help for it. His Government had abandoned him, his health was broken by long confinement, and his family were being ruined by his absence. Under these circumstances he took the oath, and was released. But no compensation has ever been given to him for his illegal imprisonment—no punishment was inflicted upon those who arrested him—no reparation has ever been exacted from the United States for the insult offered to the sovereignty of Great Britain.

Compare this case with that of the three young officers who were arrested at the guard-house. They were charged with an offence for which a good deal of evidence was offered, and which there was nothing but their own counter-assertion to disprove. As soon as their naval rank came to the knowledge of the authorities they were instantly discharged, without even being brought to trial for the conduct of which they were accused. For this "outrage" Lord Russell peremptorily demands an immediate apology, the dismissal of the sentry, and the punishment of the Ensign of the Guard; and he enforces that demand by directing a British fleet to seize the property of inoffensive merchants. Turn northwards, and see how he behaves when he has a Government to deal with that could support its own rights, if need be, by an invasion of Canada. A British subject is arrested upon the very edge of British territory. No charge is legally made against him. He is flung into a dungeon and locked up for three months. There is nothing against him except the unsupported word of Mr. Seward, that the man had been denounced by the American police. At

last he is only released upon consenting to take an oath which no Government has a right to impose upon the subjects of another with whom it is at peace. But Lord Russell makes no sign. He is deaf to all remonstrance. No angry despatches are fulminated from the Foreign Office. There is no demand that the police who made the arrest should be dismissed, or that an apology should be made. There is no British fleet to avenge by reprisals the outraged honour of Great Britain. The insult is patiently pocketed. The unhappy victim slinks back to his home to digest as best he may his unjust imprisonment, his uncompensated losses, and his desertion by the Government under whom he lives. Can any impartial man, looking upon that case and upon this, deny the charge which has been so often made, that the arrogant patrons of the *Civis Romanus* will only defend him against safe antagonists, and that England under them has justly earned the reputation of bullying the weak and truckling to the strong?

We must again guard ourselves from the supposition that we have selected this particular case because it stands alone. Too much of our recent American policy is tainted with the same vice. There are other cases in which British subjects have been detained in Fort Lafayette without process or pretence of law, sometimes for offences alleged to have been committed against the United States, outside the jurisdiction of the United States altogether. There was the case, for instance, of Mr. Rahming, who was imprisoned because he had, when in the British colony of Nassau, attempted to hire a ship to run the blockade.[1] Lord Russell's

[1] North American Papers, No. 1, p. 95.

reply, when the unfortunate man asked him to press for compensation, deserves to be compared with the despatch to Brazil upon the case of the *Forte*, by all who value a Minister with a real English spirit:—

"Whatever instructions I might otherwise have been prepared to give your Lordship respecting Mr. Rahming's application to be indemnified for his recent imprisonment, the answer returned by Mr. Seward induces me to defer, at all events for the present, any directions to renew the discussion of the subject. The President of the United States maintains that he has a right to arrest, without cause or reason assigned, any British subject residing in the United States; *and it would serve no purpose to ask the President to give indemnity in a case in which he maintains that he has acted lawfully.*" [1]

Something, too, might be said of the paper blockade set up in sheer defiance of the Protocol of Paris,[2] and submitted to tamely by us, although it was reducing a large part of our population to the condition of paupers. The calmness with which our Government have permitted the Americans to seize English vessels on their passage to neutral or to English ports under pretence that they were breaking the blockade; the repeated impunity with which they have been suffered to violate our territory by chasing vessels to within the boundary of British waters; the application of oppressive legal proceedings and strained prerogatives to British subjects, under menaces from Washington, would all furnish additional illustration of the

[1] Lord Russell to Lord Lyons, North American Papers, No. 1, p. 99.

[2] [It was contended that the Northern blockade of Southern ports was not effective within the meaning of the Protocol of Paris.]

violence of the chill which falls upon Lord Russell's enthusiastic temperament when the spectacle of a large army or a powerful fleet crosses his mental vision. But our space will not permit us to linger over his American diplomacy, or the contempt which it has drawn down on England. We must turn to questions nearer home, which, therefore, for the moment are more engrossing. The shortcomings of his policy in Europe are of more immediate moment to us than his errors upon distant shores. They affect interests from which we can never dissever ourselves, and they may at any moment bring danger to our very doors.

That his policy upon the Continent of Europe has been disastrous is an evident fact which few, even of his warmest partisans, would in private venture to deny. It has left us at a moment of critical interest without a single ally, and without a shred of influence. And it is evident that this untoward condition of affairs is due precisely to the same vice as that which has infected the foreign policy of the Government throughout—that prudent and sober ambition which delights in parading valour without danger and power without expense. That calculating kind of combativeness does very well until it is found out. But when it is once discovered that a nation loves peace so profoundly that, rather than break it, it will put up with indignities and accept humiliations that would goad any other people into war, its influence absolutely disappears. This is precisely what has happened to England during the past twelve months. She has eaten an amount of dirt at which the digestion of any other people would have revolted. Foreign Powers see that, in spite of this unsavoury meal,

her Government is as happy, as meddling, and as pacific as ever, and quite ready for another plateful. They, moreover, see that her abstinence is not due to moderation or humanity; for there was no question of moderation at Rio, or of humanity at Kagosima. They conclude that England's insensibility to ignominy and determination not to fight are due to simple fear: not of course physical fear, by which statesmen who do not themselves fight can never be affected, but that apprehension of pecuniary and political consequences which outweighs all apprehension of disgrace. Such a condition of feeling may generally be relied on as enduring by those who make use of it. England's influence in the councils of Europe is consequently at its lowest possible point. The only consideration which secures even decent courtesy from foreign statesmen, is their knowledge that Ministries are not permanent, and that a war feeling is not difficult to arouse in the breasts of the English people. Influence with another Government varies directly and absolutely with the amount of available martial power which the Government that tries to exercise it can bring to bear. International advice only carries weight when it is understood to carry with it an intimation of stronger measures upon some kind of contingency. England in the mind of foreigners is believed to have renounced strong measures—against strong Powers—under any conceivable circumstances. She has been tested by the keenest spur which indignity could apply; and she has refused to move. If such things have not led her to fight, nothing else can do so, short of an actual attack upon her shores. If that be so, her advice is mere useless verbiage; her persuasions

are empty forms. We do not listen to her advice (foreigners would say) because her statesmen are peculiarly wise: we do not yield to her persuasions because her ambassadors are exceptionally fascinating. We have no need to go so far as Downing Street, either for political wisdom or engaging manners. We have hitherto listened to England because we believed her to be strong, and disposed upon necessity to use her strength. But now that we have discovered that for practical purposes she is not strong, we do not desire to trouble her to take upon herself the task of our instruction. We do not seek counsel of Tunis, or of Herzegovina, or of the Republic of Andorre, and why should we seek the advice of England?

Lord Russell's entire inability to perceive the connection between advice and action is the true cause of the discredit into which, as regards Europe at least, he has brought his country. His proceedings on both sides of the Atlantic have so far been similar, that they have both produced the effect of encouraging a belief, that unless the English people took the matter into their own hands, no insult or outrage could ever goad the British Government into war. But there has been one material difference between the two sets of cases. The obligations to vigorous action in Europe were of his own seeking: in America they were imposed by the wrong-doing of others. The obligation to protect English subjects against Fort Lafayette, and the obligation to protect British traders against the reckless lawlessness of Federal cruisers, fell upon him by no fault of his own. It was the natural duty of a British Foreign Secretary. No policy, however skilful, could have evaded it. The discredit,

therefore, that England has reaped from her bearing towards America has been the inevitable result of the unlucky coincidence of American encroachments with English fears. But the discredit she has contrived to amass upon the Continent has been absolutely gratuitous. The protection of Poland and Denmark forms no necessary part of the duties of a Foreign Secretary. The treaties which give us a right of interference do not bind us to interfere. A Minister might feel that the interests of England required him to take an active part: and in such a case he was perfectly justified in such a course. But it was in no sense obligatory upon him to do so. He was free to interpose, or free to abstain from interposing. If he thought fit to be a passive spectator of the wrong-doing of others, the dignity of his country would in no way suffer. The only duty incumbent upon him was, to make up his mind from the first which course it was that English interests required him to take, and to shape both his language and his acts accordingly. The policy of peace and the policy of war were equally consistent with honour and with public law. The only thing required of him was, that he should not attempt to combine them by following one in his language, and the other in his acts. If he chose to be peaceable in his language, there would be no disgrace attaching to pacific conduct. If he had made up his mind to fight, there would be nothing discreditable in a preliminary menace. The only danger of disgrace that there was to avoid—the one certain road to irreparable dishonour—was to follow up the language of one policy by the acts of the other, to begin with menace, and to end with peace.

Those who attempt to defend the conduct of the Government usually make an effort to transfer the discussion to another question. They insist that England had no sufficient interest in the restoration of Poland, or in preserving the integrity of Denmark, to outweigh the manifold horrors of war. No doubt this is an interesting subject to discuss; and arguments of a forcible character might be advanced upon the side of peace, especially in regard to the question of Poland. But that is not the issue that has been raised by those who call the Government to account for the discredit they have brought on England. Non-intervention, in the abstract, may be good policy or bad: it is non-intervention heralded by threats to one side, and promises to the other, that we condemn. It is the attempt to secure the advantages of action by blustering diplomacy when there was no real resolve to fight that we deplore. It is not in the policy itself, which for the moment we pass by, but in the language by which it is introduced, that we find the deep offence that the Government has committed against English honour.

The Polish question was undoubtedly the one in which the reputation of England received its first deadly blow. To us at home, who had watched the foreign policy of the English Minister minutely, it did not, perhaps, disclose any vice with which we were not familiar before; and therefore there has been a natural surprise among us at the excitement which the peculiar character of this policy has created abroad. But foreigners regard with a very languid attention matters that do not affect their own immediate interests. American or colonial difficulties have never been of much practical import

to Continental nations; and therefore they have never excited much feeling or thought in Europe, except in these islands. But the affairs of Poland are a matter of much closer concern. To the Russian and the German they are important as touching their dearest material interests. To the French they have ever appealed as the subject of a traditional sympathy, which has been handed down unchilled from generation to generation, and with which the honour of France at some of the most critical periods in her history has been intimately bound up. The negotiations respecting the Polish insurrection were matter of the keenest interest to all the populations and all the Cabinets north of the Alps; and the policy pursued by England was eagerly and anxiously scanned. During the lapse of the summer and autumn months of last year, while the fate of the insurrection gallantly maintained against hopeless odds seemed to hang upon the chances of foreign intervention, all eyes were naturally bent towards the Power upon whose concurrence the possibility of that intervention turned. England was the chief performer in the diplomatic drama at which all Europe was gazing; and from her performances upon that occasion they drew conclusions which they will not speedily forget.

It must be said that the part which she played was entirely of her own selecting. She has no direct interest, not even the faintest, in the disposition of the territory which constituted ancient Poland. She was one of the signatories of the Treaty of Vienna, and the stipulations with regard to the government of Poland which were inserted in that treaty gave her the right of intervention, if she

pleased to use it. But she was in no way bound to interfere. When the constitution of Poland was violently suppressed in 1831, she suffered that usurpation to be completed, not indeed without a protest, but practically unhindered. On this occasion she was obliged to do no more. One solemn protest against the oppression of the people whose rights Alexander had bound himself in the face of Europe to respect was all to which she was in duty bound. If her Ministers determined to go further, and adopt a more active policy, it was incumbent on them to take care that there should be no indistinctness of apprehension, either in their own minds or in the minds of those with whom they were dealing, as to the exact extent to which they were prepared to go. Something in point of argument and much in point of sentiment might have been urged in favour of assuming the championship of the cause of Poland. But it was a path in which, when it was once entered, retreat or even hesitation was dishonour. Any vacillation of step on the part of a nation that volunteered for such a service could bear but one construction. It was not necessary to assume a hostile attitude at all; but to make a feint of striking and then to run away was a simple proclamation of cowardice. A nation may uphold its honour without being Quixotic: but no reputation can survive a display of the Quixotism which falters at the sight of a drawn sword. And in this case there was another reason more cogent still. The insurrection had obviously been begun, and was being continued with no other hope but what depended on the chance of foreign aid. Upon grounds of humanity alone the fearful prodigality of human suffering, at

the cost of which that insurrection was maintained, should not have been stimulated even for a week by any delusive hopes. The Powers whose aid was looked for were bound to determine on inaction, if inaction it was to be, and to proclaim their determination without delay. To threaten or to hint an intervention which you had no earnest intention of carrying out was contemptible as regarded the Power whom you pretended to defy, but it was inhuman towards the people with whose agony you were playing.

These considerations were so obvious that they must have been fully present to the mind of the English Cabinet when it met to discuss the course which was to be taken with respect to Poland. In such a crisis, and under the eyes of so many expectant nations, it is to be assumed that their resolutions were more than ordinarily matured, and that their policy was the very best they could produce—a kind of ideal model of English policy. At first they proceeded with proper caution. The first note addressed, on March 2, 1863, to the Russian Government upon this subject, though it was deformed by Lord Russell's habitual sententiousness of style, and though its practical utility was not very evident, yet contained nothing that could compromise the honour of England. It simply recapitulated the engagements of Russia and the wrongs of Poland, and concluded with suggesting, in friendly language, that an amnesty should be declared, and that the constitution of Alexander I. should be restored. Of course this suggestion was, with equal friendliness of language, declined. But by that time Lord Russell had warmed to his work; and the tone which opinion

in France and England appeared to be assuming gave him great encouragement. It was a favourable opportunity for trying on a little bluster. Of course he did not mean to go to war with Russia. But if he could frighten Russia by threats into yielding to the English demands, a few strongly worded sentences would be well spent. Accordingly he wrote to Paris to propose that all the parties to the Treaty of Vienna should combine to make a collective representation to Russia upon her violations of that instrument. The mention of the Treaty of Vienna is never very popular at Paris, and the suggestion appears for the time to have fallen through. But it produced a counter proposal from M. Drouyn de Lhuys.[1] The negotiations between France and England at this point are a little obscure, owing to the mutilation which all despatches presented to Parliament undergo at the hands of the Foreign Secretary. The correspondence is evidently defective; but what it is that the suppressed documents would reveal we, of course, have no means of guessing. However, by April 10 Lord Russell was prepared to take an enormous step beyond the position he had hitherto assumed. He wrote a second despatch to St. Petersburg upon the Polish question. It was couched in far stronger terms. It recapitulated at greater length and in a more peremptory tone the grounds upon which, in the view of the British Government, the Treaty of Vienna entitled them to interfere. It sweeps away in a contemptuous tone the argument of Prince Gortchakoff[2] that the revolt

[1] [1805–1881. He was in the Foreign Office from 1840–45, Minister for Foreign Affairs 1848, 1851, 1852–55, and 1862–1866.]

[2] [1798–1883. After filling several diplomatic posts, he became

of the Poles against the constitution of Alexander I. released the Russian Government from all treaty obligations to govern them in a constitutional manner. It goes on to say that Russia holds Poland not by conquest, but under a Treaty, in which she had contracted certain obligations to the other Powers of Europe; and then proceeds:—

"The question, then, having arisen whether the engagements taken by Russia by the Treaty of Vienna have been and are now faithfully carried into execution, Her Majesty's Government, with deep regret, feel bound to say that this question must be answered in the negative. . . .

"Her Majesty's Government, therefore, most earnestly entreat the Government of Russia to give their most serious attention to all the foregoing considerations: and Her Majesty's Government would beg, moreover, to submit to the Imperial Government that besides the obligations of treaties, Russia, as a member of the community of European States, has duties of comity towards other nations to fulfil. The condition of things which has now for a long course of time existed in Poland is a source of danger, not to Russia alone, but also to the general peace of Europe.

"The disturbances which are perpetually breaking out among the Polish subjects of His Imperial Majesty necessarily produce a serious agitation of opinion in other countries of Europe, tending to excite much anxiety in the minds of their Governments, and which might under possible circumstances produce complications of the most serious nature."

Taken by itself the phraseology of this despatch

Minister for Foreign Affairs in 1856 and Imperial Chancellor from 1863 to 1882.]

is as menacing as will be often found in despatches even of a professedly hostile character. The formal declaration that Russia had broken her treaty engagements, the intimation that she had not fulfilled her duties of comity as a member of the community of nations, the distinct statement that the course she was pursuing was dangerous to the general peace of Europe, "and might, under possible circumstances, produce complications of the most serious nature,"—all these expressions, interpreted by diplomatic usage, were simple threats of war. If they were addressed now to England by the Emperor Napoleon, who is in the habit of acting up to his words, there would be a panic in the City, and every department in our Government would commence active preparations for immediate war. The words by which the Emperor announced the coming Italian campaign on the New Year's Day of 1859 were far milder that those we have quoted:—"I regret that our relations are so bad, but my personal friendship for the Emperor your master remains unaltered." Even in the affair of the *Forte*, to which we have already adverted, the strongest threat used in the despatch in which reparation was demanded was that "Her Majesty's Government viewed the matter in a serious light." And yet those words were followed in another simultaneous despatch by a direction to prepare for reprisals if the demand was not conceded.

But, if there was any ambiguity in the wording of this despatch of April 10, it was entirely cleared up by a conversation which Lord Russell had with the Russian Ambassador, and which he reports himself under the same date:—

"I had a long conversation with Baron Brunnow[1] yesterday, some parts of which were of much interest. Baron Brunnow asked me some questions as to the nature of the representations about to be made at St. Petersburg; and when I told him that the despatch of Her Majesty's Government was chiefly founded on the non-observance of the stipulations of the Treaty of Vienna, he expressed some satisfaction that we still founded our demands on the basis of that treaty. But there was one question he felt he was entitled to ask, and that was whether the communication Her Majesty's Government were about to make at St. Petersburg was of a pacific nature. I replied that it was; *but that as I did not wish to mislead him I must say something more.* Her Majesty's Government had no intentions that were otherwise than pacific, still less any concert with other Powers for any but pacific purposes. *But the state of things might change.* The present overture of Her Majesty's Government might be rejected as the representation of March 2 had been rejected by the Imperial Government. The insurrections in Poland might continue and might assume larger proportions: the atrocities on both sides might be aggravated, and extended to a wider range of country. If in such a state of affairs the Emperor of Russia were to take no steps of a conciliatory nature, dangers and complications might arise not at present in contemplation."

If this was not a threat of war, language has no meaning. The Ambassador asks if Lord Russell's intentions are pacific. "Yes," says Lord Russell, "they are pacific now. But the state of things may change. Our advice may be rejected, and the war

[1] [1796–1875. Except for the interruption caused by the Crimean War, he was Russian Ambassador here from 1840 to 1874.]

may go on and get worse. If so, dangers and complications may arise not at present in contemplation." That is to say, dangers and complications which will imply, on the part of Her Majesty's Government, intentions that are something else than pacific. To threaten that if your advice is not taken, a state of things will arise in which your intentions will cease to be pacific, is, in plain English, to say that if your advice is not taken you will go to war. The threat was wrapped up in a certain amount of circumlocution to make it more palatable; but it was as unequivocal a threat as was ever uttered.

The advice was not taken. Prince Gortchakoff replied again, in the same calm, argumentative style as before. He disputed the interpretation that was placed on the Treaty of Vienna; and, in reference to the "duties of comity" upon which Lord Russell had insisted, he maintained that Russia had steadily performed them herself, but had not met with a reciprocal observance of them. And he concluded by intimating that the continuance of the Polish insurrection was due entirely to the revolutionary intrigues which other Powers allowed to be planned upon their own soil. Such was the answer which Prince Gortchakoff returned to the advice which had been forwarded under menaces so thinly veiled. Six weeks of silent meditation appear to have followed the receipt of this reply. At least, there is a six weeks' *lacuna* in the correspondence. Whether Lord Russell, as a species of religious penance for a heavy load of epistolary sins, abstained during the whole of that period from the seductive touch of pen and paper—or whether the correspondence which actually passed in the interval is, in the

opinion of the Foreign Secretary, even less creditable to him than that which is published—it is impossible to say. But, at all events, as far as the public outside are concerned, the drama which closed on May 2 does not reopen till June 17. Undoubtedly the next step in the intercourse between the two countries was of necessity a grave one. The case which Lord Russell shadowed forth in his conversation with the Russian Ambassador had actually occurred. "The overtures of Her Majesty's Government might be rejected,"—was one of the contingencies he supposed. They had been rejected. "The insurrection might continue and assume larger proportions." It had continued, and its area was extended. "The Emperor of Russia might in such a state of affairs take no steps of a conciliatory nature." He had taken none. The contingencies in which the pacific intentions of the Government were to cease had all taken place. Unless the conversation with Baron Brunnow was simple bluster, the intentions of the Government had become hostile. Under these circumstances a categorical enumeration of demands amounted to an ultimatum: and under these circumstances, Lord Russell sat down on June 17 to write the despatch which contained the celebrated six points. The concessions demanded of the Emperor were:—1. An amnesty. 2. A representative system. 3. A national (*i.e.* a Polish) administration. 4. Liberty of conscience. 5. Use of Polish language. 6. Regular system of conscription. And these six points were to be applied in their details by a Conference of the eight Powers who signed the Treaty of Vienna. Such a demand for the submission of his internal affairs to foreign

Powers was never made, even to a weak monarch, except by a Power that had an army ready to enforce it. As an ultimatum, designed to precede the execution of threats that had been disregarded, it was an intelligible document. But unless backed and justified by force, it was at once the most insolent and the most imbecile proposal that had ever been made by one Government to another. At first Europe was inclined to give to it the former interpretation. The hopes of the Poles, which were beginning to flag under the depression of incessant defeat and ever weakening forces, for a time gained new strength. The enthusiasm of the French, which the Emperor from the first had found it difficult to curb, rose to fever heat. The belief was general that the alliance between the Western Powers, for the purpose of carrying on war against Russia, was on the point of being revived. They had not yet learned how far the modern policy of England had departed from its old traditions.

The sequel need not be told. The sarcastic defiance of Prince Gortchakoff, the humiliating retreat of England after threats so distinct and demands so specific, and the indignation of France at finding that she had been tricked into a participation in the shame of England, are yet fresh in the memory of all.[1] The correspondence was closed by a comical illustration of the extent to which the fears of the British Government had been excited at the possible result of their own big words. For the discovery of it the world is indebted to Mr. Hennessy.[2] When Prince Gortchakoff's last

[1] [See, for instance, the despatches from Lord Cowley quoted at p. 208.]

[2] [1834–1891. A Catholic Conservative M.P. for King's County

defiance had arrived and the Government had made up their minds to practise the better part of valour, Lord. Russell made a speech at Blairgowrie, and being somewhat encouraged and cheered by the various circumstances of consolation which are administered by an entertainment of that kind, he recovered after dinner somewhat of his wonted courage, and under the influence of the valour so acquired he proclaimed that, in his opinion, Russia had sacrificed her treaty title to Poland. Having made the statement thus publicly, he felt that he could not do less than insert it into the despatch to Prince Gortchakoff, with which it was proposed to terminate the inglorious correspondence. He flattered himself, indeed, that so hostile an announcement, while not leading actually to a war, might enable him to ride off with something like a flourish, which his friends might construe into a triumph. And so the despatch was sent off, formally bringing the correspondence to a close, and concluding with the grandiose announcement that, in the opinion of the British Government, Russia had forfeited the title to Poland which she had acquired by the Treaty of Vienna. But even this modest attempt to escape from disgrace was not destined to succeed. When the despatch reached St. Petersburg, it was shown to Prince Gortchakoff before being formally presented. "You had better not present this concluding sentence to me," is reported to have been the Prince's brief but significant observation. The

from 1859–1865. From 1867 to 1890 he was governor of various colonies, and was distinguished for sympathy with the natives. He told the House of Commons the story in the text on Feb. 12, 1864. It was not contradicted.]

hint was taken; the despatch was sent back to England and submitted anew to the Foreign Secretary. Doubtless with disgust, but bowing to his inexorable destiny, he executed this new act of self-abasement. The offending sentence was erased by its author with the resolution of a Christian martyr. In this form it was sent back to Russia; and it still bears, as published to the world, in the bald mutilation of the paragraph with which it concludes and in the confusion of its dates,[1] the marks of its enforced and reluctant revision.

These transactions produced a profound impression upon the minds of Continental observers. People could hardly believe that a Government which had used a tone so peremptory and so bold—which proceeded to intervene even by distinct threats in behalf of the despairing struggle of a people who had been goaded to madness by oppression—could stoop to eat its threats, and to forsake in their agony those whom, in the first blush of their apparent success, it had bustled forward to befriend. We can ourselves testify, from personal observation, how difficult it was to induce Frenchmen to believe that even *la perfide Albion* could be so base. When at last it was discovered that this really was the end of the whole matter, and that all our diplomatic restlessness meant nothing but "moral support," the announcement was received with a storm of indignant derision. The British lion, and John Bull, in a variety of humiliating positions, have been an invaluable resource to the

[1] [The despatch as originally sent was dated in September, and referred to a previous despatch of August 11 as of the 11th ultimo. As altered it was dated October 20, but it still referred to the August despatch as of the 11th ultimo.]

caricaturists of the Continent. Unfortunately, the expression of feeling has not been confined to the organs of popular opinion; it has extended to politicians and to Sovereigns. In the negotiations that followed upon the Dano-German dispute, the loss of England's reputation was lamentably felt. The influence which she had formerly exercised had suddenly disappeared. It was in vain the Foreign Secretary rose up early and late took rest, composing remonstrances, and warnings, and entreaties to every Court in Europe. His "*derbe*"[1] notes were passed unheeded; his incessant and ever-varying schemes for joint notes, and identic notes, and projects of mediation, and projects of conference,[2] and proposals of concert and co-operation were passed by with contemptuous disregard. The general feeling in Prussia was aptly expressed by M. Schultze-Delitzch,[3] member for Berlin, in the House of Representatives, who advised his colleagues to be under no apprehension of English opposition to the seizure of the Danish Duchies. "England," he said, "is always full of consideration for those that can defend themselves." To much the same effect is the testimony of Sir Alexander Malet,[4] our ambassador at Frankfort, at the beginning of the present year:

[1] [Presumably German critics thought Lord Russell's notes "peremptory."]

[2] Austria's increasing difficulties have led to the assembling of a Conference "without a basis"—now that the allies are in possession of the Danish peninsula. But the suggestion was repeatedly rejected before they had seized what they coveted.

[3] [1808–1883. An economist and advocate of People's Savings Bank and Self-reliance. He was member for Berlin from 1861 till near his death.]

[4] [1800–1886. Our Minister to the Germanic Confederation at Frankfort, 1849-1866.]

—"The tension of the public mind is very great, and I am bound to say that there is a wonderful indifference to our representations, while they are at the same time resented as interfering with a cherished project. There is an absolute persuasion that England will not interfere materially, and our counsels regarded as unfriendly, have no weight." To be despised by the minor States of Germany is, perhaps, the lowest depth of degradation to which a great Power has ever sunk. Such, however, was the state of opinion throughout Germany. The German Powers were persuaded that Lord Russell would give no practical effect to his menacing despatches, and they have acted on the persuasion boldly. They have assumed that they might safely disregard the "serious complications" which Lord Russell was continually flourishing in their faces, and follow their own instincts of ambition without troubling themselves about the British Government. The event has shown that they are right. Slesvig and Jutland have been deserted, as Poland was, and the Danes have been left to derive what solace they could out of the "good offices" and the "moral support" of England.

The impression which the conduct of England in the Polish affair made on the Government of France was naturally much more serious, inasmuch as France had been more directly concerned. She acted throughout as the ally of England, apparently expecting, as most Governments would have expected, that some practical result would issue from so many brave words. She did not find out her delusion till it was too late to retreat from the alliance; and she naturally felt mortified in having to share in the ignominy which England was

bringing upon herself. The despatches written from Paris were pitched in a far more moderate key, and were not open to the charge of conveying any threat, direct or indirect. But the sense of honour in such matters is rather keener in Paris than it is in Downing Street; and the French Ministers felt that the bare presentation of the six points was a step so grave that when the English Government compelled them to submit to a refusal, their country passed through a humiliation which it was difficult to forget. And they naturally felt sore at the recollection that it was the English alliance which had brought upon them such an indignity. A short time afterwards Lord Russell was ill-advised enough to propose to them another series of "identic notes" in reference to the Dano-German question; and M. Drouyn de Lhuys was not backward to take the opportunity of giving expression to the mortification which he had suffered at the end of the Polish negotiations. He did it on no less than three occasions; and in two of them his language was so distinct, and pointed out with so much clearness the only course which can be followed without loss of dignity by countries which do not mean to fight, that it is worth extracting at some length. Lord Russell made a proposal on September 16 "that England and France should remind Austria, Prussia, and the German Diet that any act on their part tending to weaken the integrity and the independence of Denmark would be at variance with the Treaty of May 8, 1852." Lord Cowley[1] sends back the French statesman's reply:—

[1] [1804–1884. Our representative in Switzerland 1848, at Frankfurt 1851, and at Paris 1852–67.]

"The mode of proceeding suggested by your Lordship would," he said, "be in a great measure analogous to the course pursued by Great Britain and France in the Polish question. He had no inclination (and he frankly avowed that he should so speak to the Emperor) to place France in the same position with reference to Germany as she had been placed with regard to Russia. The formal notes addressed by the three Powers to Russia had received an answer which literally meant nothing, and the position in which those three great Powers were placed now was anything but dignified: and if England and France were to address such a reminder as that proposed to Austria, Prussia, and the German Confederation, *they must be prepared to go further*, and to adopt a course of action more in accordance with the dignity of two great Powers than they were now doing in the Polish question."[1]

Undeterred, however, by this very intelligible rebuff, Lord Russell, a few months later, made a second application to the French Government to join him in giving a moral lecture to Germany. He asked them to join in representing to the Diet "the heavy responsibility it would incur if by any precipitate measures it were to break the peace of Europe," etc. M. Drouyn de Lhuys' reply was again painfully significant:—

"As to the four Powers impressing upon the Diet the heavy responsibility that it would incur if by any precipitate measures it were to break the peace of Europe before the Conference which had been proposed by the British Government for considering the means of settling the question between Germany and Denmark and thereby maintaining that peace can be assembled, M. Drouyn de Lhuys observed that he had not forgotten that when

[1] Danish Papers, No. 126.

Russia had been warned by France, Great Britain, and Austria, of the responsibility which she was incurring by her conduct towards Poland, Prince Gortschakoff had replied, 'that Russia was ready to assume that responsibility before God and man.' He for one did not wish to provoke another answer of the same sort to be received with the same indifference.'[1]

It is humiliating to think such rebukes should have been administered by a Foreign Minister to an English Secretary of State, and that they should have been just.

If we are to trust the general feeling both in England and upon the Continent, the recent negotiations upon the Danish affair have been almost as fruitful in humiliation to England as those to which we have just called the attention of our readers. The derision which the combination of warlike language with a peaceful policy has excited has been almost as hearty in the latter case as in the former. The sole difference in our favour is that on the last occasion what we have had to bear has not been the sharp and biting sarcasm of France, but only the lumbering gibes which in Germany pass for wit. The impression of our conduct which is popularly entertained is completely supported by the information in our possession, so far as it goes. But we know, on good authority, how imperfect that information is. Count Manderström, the Foreign Minister of Sweden, has informed the world that our Ministers "have only lifted a corner of the veil which hangs over the recent negotiations."[2] And, indeed, it did not require Count

[1] Danish Papers, No. 700.

[2] [The statement was made in the Swedish Parliament early in March, 1864.]

Manderström to acquaint us with that fact. The papers themselves bear the story of their own mutilation upon the face of them. They resemble nothing so much as the long-winded testimony of some garrulous old woman whose memory is very short, but who is allowed to tell her tale as she pleases, in the hopes that she may be induced to bring out some link in the chain of evidence which she alone is able to supply. There is every thing there except what the reader wants, namely the policy and language of England. There are endless reports from the Ministers of petty German Courts. There is a complete thesaurus of the diplomatic history of Hanover and Bavaria, of Hamburg and the Grand Duchy of Baden. And all the communications from the Ministers who reside at the Courts of these formidable Powers are given with a provoking conscientiousness. But when you come to the important despatches, where it is clear from the context that some critical conversation has passed, or some momentous pledge has been given, then that passion for prolixity suddenly disappears. The despatches come out clipped at the beginning, eviscerated in the middle, and cut off short at the end; mere headless trunks of despatches, without head or legs, and with a large hole run through the body. At the top of almost every despatch of moment that ominous word "Extract" stands. At the point where the plot thickens, and Lord Russell is flinging his advice, and his threats, and his lectures upon moral subjects wildly over Europe, nothing but "Extract—Extract—Extract" meets your eye. An imaginative reader, when he comes to that part of the correspondence, may almost fancy that he hears the energetic, unceasing snap of Mr. Layard's scissors.

It is needless, therefore, to say that nothing so imprudent as that conversation with Baron Brunnow is to be found in the Danish correspondence. But the most careful editing will not entirely expurgate the correspondence of a Foreign Secretary like Lord Russell, in whom bluster, as it were, brims over. Consequently some considerable traces of his characteristic diplomacy may be discovered—rougher and less perfect specimens of those admirable gems of language which the Foreign Office keeps, for the present, jealously concealed within its darkest recesses. We do not mean to say that it is in our power wholly to explain the contempt which is felt for us at the German courts, or the bitter indignation with which the name of England is mentioned at Copenhagen. But enough of the correspondence has been printed to show that the language of the Foreign Office has departed, to a deplorable extent, from the tone which a country like England should adopt to weak Powers like Denmark, or strong Powers like Germany. There is no categorical promise of aid to Denmark, expressed in language so distinct that it would be treated as a covenant by an international court of law, if such a thing existed. Nor, on the other hand, is there any threat couched in direct and logical form. But every conceivable form of indirect expression and of innuendo has been employed which might convey hope to the one side, and fear to the other, of the material assistance of England, without so committing the Foreign Secretary that he should be absolutely unable to retreat. For the sake of dealing with such difficulties the Foreign Secretary has studied the science of making loop-holes in language with very

considerable success. What result Lord Russell may have promised himself for his own fame from this dexterity it is difficult to say. For his country the results have been most lamentable. Mankind at large do not understand quibbles, or trouble themselves nicely to analyze the elements of evasion which an acute draughtsman may introduce into any promise he may utter. They look to the general effect. They believe that the true test of the meaning of a pledge or a threat is the meaning which it conveyed, and was obviously intended at the time to convey. No minute verbal criticism will exonerate England from the practical pledges which she gave to Denmark, or relieve her of the dishonour of having retreated from the threats which to all intents and purposes she addressed to the German Powers.

A few specimens will be sufficient to illustrate the kind of language to which we are referring. It may be traced back for several years; but as the crisis draws near, the loopholes grow smaller, the menaces or the suggestions of aid grow more distinct. We will first quote two specimens of the correspondence of 1861. It must be remembered that the war under which Denmark is at present suffering is waged against her because she has adopted a certain Constitution framed in last November. She was summoned to recall it at two days' notice by Austria and Prussia; and on the King of Denmark refusing to violate his coronation oath, and abolish a Parliamentary Constitution without the consent of his Parliament, they invaded his territory.[1] The feature of this Constitution to which objection was taken by the invading Powers

[1] [See prefatory note.]

was, that while it retained the local Parliament of Slesvig for local affairs, it combined Slesvig with Denmark for purposes common to the whole monarchy, without admitting Holstein into the combination. Holstein was to be united to the rest of the monarchy simply by a dynastic tie, as Luxemburg is to Holland. This the German Powers objected to as tending to the incorporation of Slesvig. Now it so happened that rather more than two years before Lord Russell had proposed a constitution for Denmark, and he thus describes that constitution to the Government of France:—

"It, therefore, seems to Her Majesty's Government that a solution of the question must be sought—

"1st. By separating Holstein from the Danish provinces as completely as Luxemburg is separated from Holland.

"2ndly. By uniting Slesvig to Denmark for purposes common to the monarchy.

"3rdly. By retaining in the Duchy of Slesvig, as Austria retains in Bohemia, a local representative body." [1]

It will thus be seen that the proposal so made by Lord Russell was, so far as the parts objected to are concerned, precisely similar to that which the Austrians and Prussians have made into a *casus belli*. But Lord Russell was so proud of this scheme that he proposed that if it were accepted, the non-German Powers should guarantee Slesvig to Denmark. Among others this proposition was forwarded to Russia. Prince Gortchakoff, however, took objection to the proposal to guarantee, and the ground he stated is remarkable:—

[1] Corr. Duchies of Holstein, etc., 1861-62, No. 56.

"At the present day the integrity of the Danish monarchy is placed under the guarantee of the Treaty of London of May 8, 1852. The four Powers whom the Secretary of State invites to the special guarantee for the Duchy of Slesvig are among the number of those who signed this Treaty: and besides the two principal Powers in Germany, Austria, and Prussia, have taken a direct part in its conclusion. It has thus acquired the character of a European transaction. The word guarantee is not to be found there, it is true; but the Powers who have taken part in this transaction either directly or by their acceptance have formally acknowledged 'that the maintenance and integrity of the Danish monarchy, bound up as it is with the general interests of the European equilibrium, is of great importance for the preservation of peace:' they have established permanently the principle of this integrity. In the presence of so solemn and imposing a manifestation, it seems that the combination proposed would be more objectionable than really or practically useful. It is doubtful whether Denmark herself would be willing to accept a guarantee of a single portion of her territory, and coming only from some of the Powers who joined in the Treaty of London, whilst this treaty affords her a much more important moral guarantee." [1]

To this despatch Lord Russell replies as follows:—

"Prince Gortschakoff approves of the first four propositions contained in my despatch of April 19, with some modifications which can be hereafter considered; but he objects to the fifth [the guarantee] proposition on the ground that the Treaty of May 8, 1852, affords a sufficient guarantee for the possession of the Duchy of Slesvig by Denmark, and that a special guarantee of Slesvig

[1] Corr. Duchies of Holstein, 1861-62, No. 57.

given now by four only of the Powers who signed that treaty would weaken the force of the existing guarantee.

"I have to observe upon this that the Treaty of 1852 recognizes as permanent the principle of the integrity of the Danish monarchy; and Her Majesty's Government would therefore suggest, with a view to satisfy Russia, instead of the fifth proposition of my despatch, the following wording: —'Austria, Great Britain, France, Prussia, Russia, and Sweden, continue to recognize as permanent the principle of the integrity of the Danish monarchy, according to the Treaty of May 8, 1852.'" [1]

The reason for this curiously indefinite language of Lord Russell is obvious enough. He wanted, if possible, to give a strong hint to the German Powers to the effect that the integrity of the Danish monarchy was practically guaranteed. Therefore he was very willing to accept Prince Gortchakoff's strong language, and to treat a re-assertion of the Treaty of 1852 as if it were the same thing as the guarantee that he had proposed. At the same time he thought it safer to leave himself a loophole of escape. But he does not appear to have reflected on the effect which this proposition of his, enforced in this language, would have upon the Danes. When the correspondence was published they were entitled to draw from it two inferences. The first was that if they separated Holstein from the monarchy, retaining for Slesvig her connection with Denmark in common affairs, side by side with her local institutions, they would be taking the course which of all others most completely fulfilled their obligations. The second

[1] Corr. Duchies of Holstein, etc., 1861-62, No. 70.

inference was that if they did so, and were attacked, the Treaty of London was looked upon by England as affording to them a permanent security for the possession of Slesvig, which in effect was the same thing as a guarantee. We know that in effect they did entertain these convictions,[1] and they did act upon them, and the result was the war in which they are now engaged. They have now discovered that, with respect to the separation of Holstein from the Dano-Slesvig constitution, the English Government holds totally different opinions from those which it expressed three years ago, and that its views upon the security afforded by the Treaty of London are still more alarmingly modified; and that the effect of this change of views, after leading them into a bloody war, is to leave them in the lurch. They naturally say that England should have explained to them her real views upon these two points, and especially upon the last, before they had committed themselves beyond recall. It is perfectly true that Lord Russell did not say that he held by the Treaty of London as a guarantee of Slesvig, but he used ambiguous language, from which it might easily be inferred; and the ambiguity on the part of a great Power, by which a small Power is permitted to be misled to its ruin, is an offence against loyalty and honour which it is hard to distinguish from actual treachery.

Another specimen of the same kind of language leading directly to the belief that, in the event of an attack on the integrity of Denmark, Great Britain would interfere, and yet not actually promising it, may be found a few weeks further on. In June, 1861, Lord Russell sends the following despatch to

[1] See "Danish Papers," Nos. 24, 313.

Prussia, with reference to the Federal Execution, which even then was menaced against Holstein :—

"In the speech of the King of Prussia on closing the Session of the Legislative Chambers, I find the following paragraph :—'The Danish Government have not entirely satisfied the demands of the Diet. But the nature of our relations with the Great Powers of Europe affords a sufficient guarantee that they will not be disturbed by severe measures which may be necessary within the limits of German territory.' In these paragraphs there appears to be some misapprehension as to the position of one at least of the Great Powers of Europe. Her Majesty's Government have never disputed the right of the German Confederation to interpret its own constitution upon German territory. But in speaking of Federal Execution in Holstein, I have never failed to point out these obvious dangers. . . . That some chance collision between excited and embittered parties might extend the scope of the contest, and change it from a question concerning German territory, which affects Germany chiefly, into a question concerning 'the maintenance of the integrity of the Danish monarchy,' which, 'as connected with the general interests of the balance of power in Europe,' is declared in the Treaty of London to be 'of high importance to the preservation of peace.' Great Britain, as one of the Great Powers of Europe, could not fail to be 'disturbed' by such results."[1]

Now, of course, this is neither a definite promise nor a formal threat. Lord Russell may take refuge in the ambiguity of the word "disturbed." He may say, "The result has happened, and Great Britain has been very much disturbed at it—very much disturbed indeed; but I never said that her

[1] Corr. Duchies of Holstein, etc., 1861-62, No. 88.

disturbance would come to anything." Lord Russell might plead this, and it is possible that if he was defending himself in an action upon promises in a court of law, the plea might be held to be good. But this is not the principle upon which individuals interpret their own language in the intercourse of private life; still less is it the way in which a great empire should creep out of its public declarations. When this despatch was published all who read it, and among them the Danish statesmen, inferred from it that if the German Powers attempted to seize Slesvig, Great Britain would feel her own interests bound up in the integrity of the Danish monarchy. Can the English Ministers deny that the inference was a fair one? Can they call in question the justice of the indignation with which the Danish people have heard that Lord Russell meant no kind of pledge, no indication of future policy, but only intended to work upon the feelings of the soft-hearted King of Prussia, by pointing out to him that if he *would* go on in that way the nerves of his English friends would be "disturbed"?

The negotiations which immediately preceded the present war swarm with similar, but far stronger statements. It would be, perhaps, too much to say that any of the despatches in the papers that have been published formally and absolutely pledge England to go to war, but they exhaust the resources of the English language to contrive threats that just fall short of this. They hint that she will; they declare that she may; they refuse to say that she will not; they intimate that she will treat the seizure of Slesvig for a material guarantee as she treated the seizure of the Principalities on the same plea in 1854; they regret that England and the

German Powers are on the point of becoming enemies; they announce to the Minister of a third Power (hinting to him to forward the message) that if the Germans cross the Eyder, they will probably find themselves confronted by the armed intervention of Great Britain. In fact, Lord Russell seems to have thought that, so long as he qualified it with a "might," or a "may," or a "probably," there was no form of menace that it was improper for him or his ambassadors to utter. As the very existence of these menaces has been denied by the bold apologists of the Government, we will reproduce a small selection from them:

(1.) "Europe had seen, I observed, the fatal results to which the seizure of a material guarantee had led when the Emperor Nicholas crossed the Pruth. If Germany should thus be unfortunately led to light up a war on the Eyder, she must be prepared for eventualities of an equally grave nature."[1]

(2.) "Her Majesty, by the Treaty of London of May 8, 1852, is bound to respect the integrity and independence of Denmark. The Emperor of Austria and the King of Prussia have taken the same engagement. Her Majesty *could not see with indifference* a military occupation of Holstein which is only to cease upon terms injuriously affecting the constitution of the whole Danish monarchy. Her Majesty's Government could not recognize this military occupation as a legitimate exercise of the powers of the Confederation, or admit that it could be properly called a Federal Execution. Her Majesty's Government could not be indifferent to the bearing of such an act upon Denmark and upon European interests."[2]

[1] "Danish Papers," No. 72; *vide* also No. 743.

[2] Ibid., No. 137.

(3.) "Should Federal troops enter Holstein on purely Federal grounds, Her Majesty's Government would not interfere; but should it appear that Federal troops had entered the Duchy on international grounds, Her Majesty's Government *may be obliged to interfere.*"[1]

(4.) "It would be no less impossible for Her Majesty's Government to enter into any engagement, that if the Federal troops should not limit their operations to the Duchy of Holstein, but should on some pretence or other extend their operations to the Duchy of Slesvig, Her Majesty's Government would maintain an attitude of neutrality between Germany and Denmark."[2]

(5.) "In reply to your Excellency's despatch, I have to inform you that Her Majesty's Government consider you were right in stating to the Prussian Secretary for Foreign Affairs, that they had not said that the relations between England and Prussia might be endangered by an invasion of Slesvig, *although they considered that such an invasion might do so if due time were not given to the Danish Government to grant the concessions which they were required to make.*"[3]

(6.) "Seeing these dangers, and the reckless manner in which many of the German Princes and all the German popular meetings were ready to set the faith of treaties at defiance, Her Majesty's Government could not wonder that the King of Denmark was ready to defend Slesvig, and to consider its hostile occupation as a fatal blow to the integrity of his dominions. *But I could not doubt that he would be assisted by Powers friendly to Denmark in that defence.* . . . . Count Bernstorff adverted shortly but pointedly to the dangers which might be incurred by Europe if Germany and England should ever become enemies. I fully

[1] "Danish Papers," No. 289.
[2] Ibid., No. 500.
[3] Ibid., No. 620.

admitted them, and as fully regretted their existence; but I said that since the month of May Great Britain had warned Austria *of these dangers;* that Prussia and Germany had likewise been warned, but that the voice of England was unheeded, and little time was now left for counsel, wisdom, and moderation. I hoped it would not be thrown away."[1]

(7.) "I waited on Prince Gortschakoff yesterday forenoon with your Lordship's telegraphic despatch proposing the mediation of England, France, Russia, and Sweden between Denmark and Germany, and a suspension of all hostile acts or preparations on the part of the latter. The Vice-Chancellor said that he would take the orders of the Emperor in regard to your Lordship's overture; he regretted, however, that he must declare his first impression to be unfavourable to the proposal of Her Majesty's Government. Austria and Prussia would almost certainly decline to shape their measures to the demands of the four Powers. The smaller German States in their present effervescence would probably not forego their determinations; the offer suggested by your Lordship was an important one; it would be ineffective, and it would not become the four Powers to make an abortive stroke of this kind. . . . Without disputing the weight to be attached to the objections of the Vice-Chancellor, I represented to him that Her Majesty's Government had no doubt sought his Excellency's assent at once, because the assent of Russia, if granted, would have a great effect with the other Powers in obtaining their adhesion to the proposal of Her Majesty's Government; and the pressing necessity for arresting warlike preparations, and combining the Powers less directly interested in the controversy for a mediation, was proved by the fact that an attack upon Slesvig seemed imminent, *and if that attempt was made, it seemed not improbable that*

[1] "Danish Papers," No. 696.

the Germans might find themselves confronted by the armed intervention of Great Britain." [1]

Now, can there be any mistake as to the operation which threats like these were likely to have? That they did not seriously disturb the equanimity of the Powers to whom they were addressed is easy to believe. The affair of Poland had taught the statesmen of the Continent to measure the value of Lord Russell's menaces with accuracy. Upon them it is probable that the language we have quoted exercised an imperceptible influence; but what was its effect upon the honour of the country in whose name they were uttered? Does Lord Russell imagine that threats which are qualified with a "not improbably" are privileged to be insincere? or that bluster is less dishonouring because it is expressed in the potential mood?

We pass to sadder specimens of the same style. The quibbling evasion of clear diplomatic declarations is bad enough when it only brings contempt upon the nation that has uttered threats on which it dare not act. But when it deceives a weak and a confiding ally—when it dooms a gallant race to plunder and to butchery at the hands of unprovoked oppressors—when it lures the helpless on to danger, and persuades the feeble to lay aside their defence—it brands on the nation in whose behalf these things have been done a stigma of ineffable baseness, under which every heart capable of feeling writhes with shame. We could pardon our Government many bootless threats and much empty swaggering if they had only refrained from misleading, by hopes which they did not intend to

[1] Lord Napier to Lord Russell, "Danish Papers," No. 644.

fulfil, the minds of a people whose national existence may possibly be the penalty of their misplaced trust. Towards the end of last year there were two grounds of complaint urged by the German Governments against Denmark. The first was the Patent of March, separating the legislature of Holstein from that of the rest of the monarchy; the other was the Constitution of November, which established in Denmark and Slesvig alone a community of institutions formerly existing between all parts of the Danish monarchy. In the autumn of the year the demand for the revocation of the Patent was being pressed by Germany with great earnestness, and Federal Execution was threatened if it should not be granted. Lord Russell, of course, was busy in the dispute, doing his best to ascertain whether it was not possible to pester both sides into harmony by unlimited diplomatic badgering. But it was characteristically upon Denmark, as the weakest Power, that he pressed the most heavily. A great many paper missiles were projected from the Foreign Office in the course of the autumn, but the particular communication to which we wish to draw attention was made in the middle of October. On the 11th of that month Lord Russell telegraphed to Sir A. Paget to urge upon the Danish Government the revocation of the Patent. Sir A. Paget executed the order with the ability which he has displayed throughout all these transactions, and the conversation which he had with M. Hall[1] on that occasion is reported at some length. The following was the climax:—

[1] [He was Foreign Minister from 1860 to 1863, when he resigned. He was exceedingly popular, being elected unanimously to the Rigsraad in 1864.]

"I made use of every argument to induce his Excellency to adopt a conciliatory course, and I warned him of the danger of rejecting the friendly counsels now offered by Her Majesty's Government, by representing that, however much public feeling might be in favour of Denmark now, because there was a general impression that she was the aggrieved Power, this feeling would undergo a great change if it was proved by official documents that the Danish Government had rejected every compromise."

These words were approved and adopted by Lord Russell as soon as they were reported to him. In consequence of these and similar representations the Patent, as is well known, was withdrawn.[1] It must be admitted that they contain no promise of material aid so distinctly worded that in private life it could be enforced in a court of law, but it was language well calculated to inspire the Danes with a belief that we should come to their assistance if they followed the advice which we tendered. There was "danger" in rejecting that advice; consequently there was some increase of safety in accepting it. From what quarter was that safety to proceed? From the fact that the public feeling in such a case would be in favour of Denmark. But the favour of public feeling can only be of use when "public feeling" is prepared to fight. The kind of "public feeling" which only talks has been abundantly at the service of the Danes, and, indeed, of most other communities in trouble, but no sane statesman would advise his Sovereign to make sacrifices for the purpose of obtaining the insulting lip-friendship, which in England goes by the name of "moral

[1] [See prefatory note to "The Danish Duchies."]

sympathy." When the Danish statesmen were assured that if they should take a certain course the favour of public feeling would make their dangers less urgent, they naturally assumed that public feeling would come to their assistance in some manner more effectual than by the inditing of tart despatches. Would men of honour, dealing with each other in private life, have come to any different conclusion?

Then came the Constitution of November 18. The Danes appear to have prepared that Constitution, believing with perfect sincerity that it was the course most in accordance with their treaty obligations. They received no intimation from Austria and Prussia of the storm it would bring down upon their heads until the measure had passed through all its Parliamentary stages. But when it was done, the divisions in the German Diet made it convenient for those two Powers to use it as a pretext for their unprovoked aggression.[1] Great efforts were made to induce Denmark to repeal the obnoxious Act. It is not wonderful that this advice should have been unpalatable to the Danes: it was affixing to their necks the badge of foreign servitude in its most undisguised and offensive form. The freedom of internal legislation is the embodiment and the symbol of national independence. To receive any kind of legislation at the hands of the foreigner is a degradation; to submit to his dictation the fundamental laws of the country is a more galling ignominy still. But to have to modify such institutions at a moment's notice, under the most insolent and shameless threats of violence, is an insult to which a people retaining any spark of patriotism can

[1] [See Prefatory Note.]

hardly submit except under the most extreme necessity. It is not surprising, therefore, that all England's urgency failed for some time to extract this last concession. It needed the mission of a special plenipotentiary and the all but open promise of material assistance as a bribe to induce the Danes to give way once again, and to submit even the solemn enactments of their legislature to the insolent dictation of Vienna and Berlin. But it needed nothing less than this, and this Lord Wodehouse[1] seems to have taken upon him to offer. The following is his own report of the language that he held:—

"I entreated his Excellency to weigh well the gravity of the dangers which threatened Denmark. General Fleury[2] had informed M. d'Ewers and me that he was instructed to tell the Danish Government that France would not go to war to support Denmark against Germany. *It was my duty to declare to him that if the Danish Government rejected our advice, Her Majesty's Government must leave Denmark to encounter Germany upon her own responsibility.* . . .

"I said that the Danish Government were the best judges of the manner in which the law could be changed, but of course he would understand that Her Majesty's Government would never advise recourse to unconstitutional means."

We think it was scarcely possible to imply a promise of assistance in stronger or more precise terms. M. Hall, indeed, as he afterwards told Sir

[1] [1826–1902. Under-Secretary for Foreign Affairs under Lords Aberdeen and Palmerston till 1858. He had been sent on the special mission mentioned at the end of 1863. He was created Earl of Kimberley in 1866.]

[2] [A ruined gentleman who rose from the ranks to be a general. He was often employed on diplomatic missions.]

A. Paget, was not satisfied. He had studied English diplomacy for many years, and he knew that it was as hard to find the form of words that should bind Lord Russell as it used to be in mediæval legends to find the oath which should bind the Tempter. But he could not communicate his scepticism as to this promise to his colleagues or his Sovereign. So deep was the impression which it made upon the Danish King, that rather than forego it he made the greatest sacrifice a Sovereign can make. He parted from a highly popular Minister, and abandoned the policy to which his people passionately clung. M. Hall resigned his office to one of his own colleagues, and as soon as the new Cabinet was installed foreign Governments were informed that Denmark was ready, under their approbation, to call the Rigsraad together, in order that it might fulfil the condition which Lord Wodehouse had attached to British aid. The consideration has been duly given, but the covenant has not been kept. England's advice has been followed, but England's assistance has not been tendered. Denmark's dangers are as great, her isolation is as complete, as if she had never yielded. The Danish King has been made to swallow the cup of humiliation to the dregs—to alienate from himself the affections of his people—to dishonour his own signature—to incur the contempt and increase the audacity of his foes. But England abandons him not less than she did before "to encounter Germany upon his own responsibility." If he had rejected the officious advice of England with scorn, and had turned the English Plenipotentiary out of his capital as an intrusive meddler, he would not have been in a worse position

than he is now; nay, he would have been so far in a better position, that in his applications for aid to the great Powers, he would not have been weighted with the unpopularity which attaches to the supposed *protégé* of England.

There is another promise, more distinct in its terms than any, which we cannot pass by without notice. Lord Palmerston's speech at the end of last session, to which reference has been repeatedly made in Parliament, but to which he himself has never dared to allude, undoubtedly produced a considerable effect both in Denmark and in England. We have General Peel's testimony[1] that abroad its value was more correctly estimated. But in England the announcement which it contained that the policy of Her Majesty's Government consisted in the maintenance of the integrity of Denmark, and that if Denmark were attacked those who did it would find that she was not alone, produced a profound conviction that Denmark was safe. It did not seem possible that any man of honour should recede from language so distinct. Upon the Danes it appears to have produced an equally strong effect. Lord Palmerston's language is alluded to more than once in the course of the negotiations of last autumn by the Danish Ministers, and it is evident that they looked to it with the most implicit confidence.[2] Considering the strength of the statement that he made, their belief in it was not surprising. The following were the words of a part of the reply

[1] [On April 8, 1864, General Peel told the House of Commons that though he had relied on Lord Palmerston's speech, he found, when travelling, that Germans were confident that Denmark would be left alone.]

[2] "Danish Papers," No. 165.

which he made to a question of Mr. Seymour Fitzgerald,[1] addressed to him on the third reading of the Appropriation Bill :—

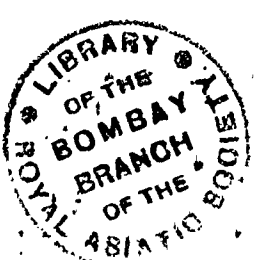
"There is no use in disguising the fact that what is at the bottom of the German design, and the desire of connecting Slesvig with Holstein, is the dream of a German fleet and the wish to get Kiel as a German seaport. That may be a good reason why they should wish it; but it is no reason why they should violate the rights and independence of Denmark for an object which, even if it accomplished, would not realize the expectation of those who aim at it. The hon. gentleman asks what is the policy and course of Her Majesty's Government with regard to that dispute. As I have already said, we concur entirely with him, and I am satisfied with all reasonable men in Europe, including those in France and Russia, in desiring that the independence and integrity and the rights of Denmark may be maintained. We are convinced, I am convinced at least, that if any violent attempt were made to overthrow those rights and interfere with that independence, those who made the attempt would find in the result *that it would not be Denmark alone with which they would have to contend.*"

Let the reader compare with these promises the scenes that are passing and have passed in Slesvig and Jutland, and the whole tale of England's disloyalty and Denmark's ruin is before him. For years we have thrust ourselves forward as her friends, taken her under our special protection, and proclaimed with tedious iteration in every Court in

[1] [1818–1885. He was Conservative M.P. for Horsham from 1852 to 1865 (and again in 1874–75) and Under-Secretary for Foreign Affairs 1858–59. Later, he became, successively, Governor of Bombay and Chief Charity Commissioner.]

Europe that her integrity and independence are the first object of our care. We have loaded her with good advice, meddled in her smallest concerns, and treated her almost as an English dependency—so keen and so peculiar was the interest we affected to feel in her welfare. Actuated by the hopes—the encouraged hopes—of help in an unequal struggle, she did not resent this intrusion into her affairs. On the contrary, she yielded to our pressure. At our instance she made concession after concession. With each new concession her adversaries—those who coveted her soil—were encouraged to put foward new demands, and with each new demand England urged a new concession. Under the pressure of our urgency, deeply against her own convictions, she abandoned Holstein to their will, and evacuated fortresses which she might have defended, at least for a time. She resigned, perhaps for ever, that splendid prize for which the mightiest nations would be glad to compete, the harbour of Kiel, which her naval superiority might have enabled her to hold even against an overwhelming force. At all events she gave up, at our bidding, without a struggle, territory upon which she might have at least gained a respite, which would have enabled her to mature her own defences, and would have probably raised up for her allies. For all these concessions we gave her—not a formal promise of aid—no! but intimations of our intention to afford it, which at first sight seemed plain and unmistakable, and only when read by the light of events are discovered to have been intentionally and cunningly ambiguous. The crisis at last has come. The concessions upon which England has insisted have proved futile. The independence which she

professed to value so highly is at an end. The people whom she affected to befriend are in danger of being swept away. One of the most wanton and unblushing spoliations which history records is on the point of being consummated. But as far as effective aid goes, England stands aloof. Fresh from the bombardment of Kagosima, she extols the beauty of moderation and the Christian obligation of peace. Her pledges and her threats are gone with last year's snow, and she is content to watch with cynical philosophy the destruction of those who trusted to the one, and the triumph of those who were wise enough to spurn the other.



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